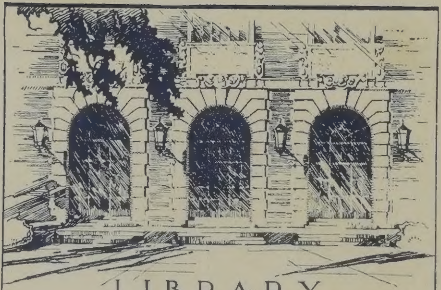

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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

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SENATE

TUESDAY, March 30, 1943.

The Senate met at 3:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN C. WALLACE, D. D., offered the following prayer:

Heavenly Father, acknowledging our need of a power that is greater than we possess we turn to Thee, the source of all power, physical and spiritual, and pray Thee to give to us that physical strength and that spiritual courage Thou knowest that we need for to-day. Convince us that we cannot plan wisely or legislate effectively without Thee.

In our world to-day we see the result of planning that left God out. We are paying the bloody penalty. By this terrible experience may we and the whole world learn that no nation can endure whose laws and practice are not based on the divine law of right and justice to all. There can be no compromise with evil, no surrender to cowardly expedience.

And so we pray that every law here enacted may be in accord with God's eternal law of right and justice, that all of us may dwell in peace and security.

For our nation, now being tested in the crucible of war, we pray. May the test purge the nation from all that is wrong and establish it firmly on truth, honor and love.

In the Name that is above every name. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. EDMONDS, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. ZIESENHEIM.

HOUSE MESSAGES

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, March 29, 1943.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, April 5, 1943, at four o'clock, and when the House of Representatives adjourns this week, it reconvene on Monday evening, April 5, 1943, at nine o'clock.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 258, entitled:

An Act to validate certain acknowledgments and to regulate the affect thereof.

Which was committed to the Committee on Mines and Mining.

House Bill No. 289, entitled:

An Act to amend section eight of the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 3), entitled "State Council of Defense Act," providing compensation for officers and enlisted men in said Pennsylvania Reserve Defense Corps for armory drills.

Which was committed to the Committee on Military Affairs.

House Bill No. 365, entitled:

An Act to further amend clauses (d) and (e) of section four hundred four of the act approved the seventeenth day May one thousand nine hundred and twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by further changing provisions relating to the investment of the capital and reserve of mutual and stock life insurance companies organized under the laws of this Commonwealth.

Which was committed to the Committee on Insurance.

House Bill No. 390, entitled:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "Dog Law of 1921" by providing for the issuing of free licenses for seeing-eye dogs.

Which was committed to the Committee on Agriculture.

House Bill No. 572, entitled:

An Act providing for fresh pursuit by military forces, and authorizing this state to cooperate with other states therein.

Which was committed to the Committee on Military Affairs.

House Bill No. 588, entitled:

An Act to amend paragraph four of subsection (c) of section two hundred two of the act, approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "Insurance Company Law of 1921" by extending the purposes for which certain companies may be incorporated to include insuring medical, hospital, surgical and funeral expenses in connections with certain kinds of liability insurance; and insuring against loss or damage to property from certain causes for which the person insured is liable.

Which was committed to the Committee on Insurance.

House Bill No. 686, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years, and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time, under certain circumstances requiring the keeping of records and the making of reports and providing penalties.

Which was committed to the Committee on Agriculture.

PETITIONS AND COMMUNICATIONS

The Chair cleared his table and laid before the Senate resolution passed by the State of Montana, setting forth the views of that body relative to the winning of the war by the total defeat of Axis powers and also relative to postwar settlements

receipt of which was noted in the Journal.

REPORTS FROM COMMITTEES

Mr. THOMAS, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 131, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing for the issuing of free resident fishing licenses to persons over sixty-five years of age.

Mr. CRIDER, from the Committee on State Government, reported as committed, Senate Bill No. 165, entitled:

An Act to amend section six hundred seven, and to further amend section seven hundred one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the appointment of certified public accountants for the purpose of auditing the accounts of the Auditor General and requiring the Auditor General to submit all books, records and papers to such accountants.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 297, entitled:

An Act to amend Article II section two hundred two and to repeal Article IV section four hundred thirty-three and Article XVIII section one thousand eight hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executives and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined."

He also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 341, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax and prescribing penalties," by further extending the exemptions from the tax imposed by the said act.

Mr. THOMAS B. WILSON, from the Committee on State Government, reported as committed, Senate Bill No. 267, entitled:

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 241, entitled:

An Act to amend section six hundred twenty-eight of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing for the prescribing, issuing and filing of certain forms by and with the Commissioner of the Pennsylvania Motor Police instead of the Secretary of the Commonwealth.

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He also, from the Committee on State Government, reported as committed, Senate Bill No. 401, entitled:

An Act to amend section five hundred twenty-five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and presribing the manner in which the number of compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended by making provision for the destruction of certain records in the various administrative departments, boards or commissions, after such records have been first microfilmed.

He also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 100, entitled:

An Act to reenact and further amend section seventeen of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by authorizing commissioners to sell lands purchased at treasurers' sales upon which the period of redemption has expired, and providing for notice of such sale or sales.

Mr. FARRELL, from the Committee on Education, reported as committed, Senate Bill No. 314, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by changing the provisions for supervisors of special education in counties employing fewer than five hundred and fifty teachers.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 404, entitled:

An Act to amend section one of the act, approved the twenty-fourth day of April, one thousand nine hundred thirty-one (P. L. 48), entitled "An act requiring the recording of certain written agreements pertaining to real property, and prescribing the effect thereof as to subsequent purchasers, mortgagees, and judgment creditors of the parties thereto," requiring that written agreements pertaining to real property be acknowledged by the sellers or grantors therein.

Mr. CROWE, from the Committee on Education, reported as committed, House Bill No. 146, entitled:

An Act to further amend clause one of section three, and section twelve of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further extending the time for present employes, as defined in the act, to elect to be covered by the retirement system; and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

He also, from the Committee on Education, reported as amended, Senate Bill No. 185, entitled:

An Act to further amend clause (c) of paragraph nineteen of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing that school districts of the third class which are in or coterminous with townships shall hereafter be entitled to receive annual payments from the Superintendent of Public Instruction for certain closed or discontinued schools.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 361, entitled:

An Act regulating commercial strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, including issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

Mr. HENRY I. WILSON, from the Cimmittee on Judiciary Special, reported as committed, House Bill No. 138, entitled:

An Act to further amend section seven of the act approved the second day of May one thousand eight hundred eighty-nine (P. L. 66) entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" by providing that any number of items paid into or deposited in the custody or under the control of any court of the United States in and for any district within this Commonwealth or in the custody of any depository registry or of any receiver clerk or other officer of any of said courts may be joined in one petition of escheat.

Mr. MALLERY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 317, entitled:

An Act to further amend section one of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," reducing the number of judges of said court.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 475, entitled:

An Act to further amend section twenty-five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by providing that in the case of any spouse on active duty in the armed service of the United States in time of war, the affidavit accompanying his or her libel in divorce may be taken, within or without the Commonwealth before any officer commissioned in the armed forces of the United States authorized by law to take affidavits and acknowledgments.

Mr. WALKER, from the Committee on Corporations, reported as committed, Senate Bill No. 281, entitled:

An Act to amend section one of the act approved the eleventh day of May one thousand eight hundred ninety-three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" authorizing certain corporations to make allowances or pensions to officers or employes.

Mr. JONES, from the Committee on Banking, reported as committed, House Bill No. 114, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given.

Mr. HOLLAND, from the Committee on Education, reported as committed, House Bill No. 34, entitled:

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing that employes on retirement for superannuation who return to active school service during the present war shall not upon return to retirement receive any smaller allowance than that received prior to return to active school service

Mr. KEPHART, from the Committee on Judiciary General, reported as committed, Senate Bill No. 240, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting alumni or alumnae associations from the provisions of the act in certain cases.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 207, entitled:

An Act providing for commissioning as police officers, certain employes of institutions maintained in whole or in part by the Commonwealth; conferring upon them the powers of constables in certain cases; and imposing duties on wardens and keepers of jails, police stations and lockups.

He also, from the Committee on State Government, reported as amended, Senate Bill No. 346, entitled:

An Act suspending for the duration of the present national emergency, and for six months thereafter, the statutory provisions as to advertising and competitive bidding on contracts of counties, institution districts, and cities for the purchase of goods, materials, and merchandise which are rationed or on which a maximum price ceiling has been fixed under regulations of the Federal Government, and providing for the award of contracts in such cases to the lowest and best bidder after due inquiry.

Mr. SNOWDEN, from the Committee on Banking, reported as committed, Senate Bill No. 79, entitled:

An Act relating to the investing, reinvesting, acquiring, exchanging, retaining, selling, and managing property by fiduciaries, and repealing acts or parts of acts inconsistent herewith.

Mr. SHAPIRO, from the Committee on Education, reported as committed, Senate Bill No. 351, entitled:

An Act to further amend section one thousand two hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for sabbatical leaves of absence for employes of State teachers colleges and the Cheyney Training School for Teachers.

Mr. BARR, from the Committee on Judiciary General, reported as committed, Senate Bill No. 422, entitled:

An Act to further amend section one of the act, approved the sixteenth day of April, one thousand nine hundred seven (P. L. 92), entitled as amended "An act defining the duty of coroners, where death is sudden or violent, or is of a suspicious nature and character, and of police, and health authorities, in this Commonwealth, in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner, but where it appears the cause of death is not surrounded by suspicious circumstances," by providing that investigations of deaths caused by accidents shall be made by the coroner of the county in which the accident causing death occurred.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 688, entitled:

An Act authorizing political subdivisions to refund money erroneously or inadvertently paid by persons and corporations into the treasury thereof for municipal improvements or upon municipal assessments, liens whereof have been subsequently declared illegal and invalid.

He also, from the Committee on Judiciary General, reported as committed, House Bill No. 487, entitled:

An Act to amend section three of the act approved the third day of May one thousand nine hundred and nine (P. L. 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" by providing for granting of warrants and rights to certain additional lands

Mr. BOWERS, from the Committee on Education, reported as committed, Senate Bill No. 313, entitled:

An Act authorizing the Department of Public Instruction to act as agent for the several school districts and vocational school districts in the purchase, without bids, and distribution among such districts of materials, supplies and equipment subject to priorities and on which prices have been stabilized, to be used in vocational education of workers on war work; and validating such action heretofore taken.

Mr. STIEFEL, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 320, entitled:

An Act to amend the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, reenactments and repeals of statutes," further providing for the position of the enacting clause, and the construction of provisos; prescribing effect of amendments on limitations and periods of time; and further defining the phrase "political subdivision."

Mr. RUTH, from the Committee on Education, reported as committed, Senate Bill No. 312, entitled:

An Act to further amend section one thousand four hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for payment for education of blind children out of appropriations made to the Department of Public Instruction for such purposes and conforming said section to existing law.

He also, from the Committee on Education, reported as committed, House Bill No. 60, entitled:

An Act to further amend sections two thousand six hundred twenty and two thousand six hundred twenty-five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the filing of copies of auditors' reports in school districts of the third and fourth classes.

Mr. GOURLEY, from the Committee on Judiciary General, reported as committed, House Bill No. 290, entitled:

An Act to amend sections one and seven of the act, approved the twenty-first day of July, one thousand nine hundred forty-one (P. L. 425), entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses, regulating the amount, payment and taxation as costs thereof, and repealing inconsistent legislation," further regulating the payment of witnesses and the taxation thereof as costs of the proceeding.

Mr. JASPAN, from the Committee on Judiciary Special, reported as committed, House Bill No. 504, entitled:

An Act providing that persons in the armed forces and merchant marine of the United States and its allies may renew licenses or certificates to engage in professions and occupations after discharge from military service.

He also, from the Committee on Judiciary Special, reported as committed, House Bill No. 105, entitled:

An Act to reenact and amend the title of, and the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2611), entitled "An act authorizing political subdivisions, other than cities of the first class, to set-off delinquent taxes and municipal claims and penalties, interest, and cost due thereon, against claims and accounts due by such political subdivisions," extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions.

Mr. WOODRING, from the Committee on Judiciary Special, reported as committed, House Bill No. 193, entitled:

An Act to amend Section six hundred fifty-one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," permitting persons under the age of eighteen years to be present in bowling alleys.

He also, from the Committee on Judiciary Special, reported as committed, House Bill No. 230, entitled:

An Act to amend section two of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 228) entitled "A supplement to the act approved the eighteenth day of June one thousand nine hundred and twenty-three (P. L. 840) entitled 'An act concerning declaratory judgments and decrees and to make uniform the law relating thereto' prescribing the practice to be pursued in such proceedings" making further provision for the service and return of petitions for declaratory judgments.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATKINS, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth, which were laid on the table in accordance with the rules.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Wilbert B. Claypool, R. F. D. No. 2, Leechburg, for appointment as Justice of the Peace in and for the Township of Allegheny, Westmoreland County, until the first Monday in January, 1944, vice George J. Hetrick, deceased.

EDWARD MARTIN.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Mrs. Ella Ferry, Mount Pleasant Mills, for appointment as Justice of the Peace in and for the Township of Perry, Snyder County, until the first Monday in January, 1944, vice J. A. Shadle, deceased.

G. D. Eldred, R. F. D. No. 2, Corry, for appointment as Justice of the Peace in and for the Township of Spring Creek, Warren County, until the first Monday in January, 1944, to fill a vacancy.

EDWARD MARTIN.

BILLS INTRODUCED AND REFERRED

Mr. JONES read in his place and presented to the Chair, Senate Bill No. 447, entitled:

An Act to amend sections one, two, six and eight of the act, approved the twenty-ninth day of September, one thousand nine hundred and thirty-eight (P. L. 53), entitled "An act relating to institutions of counties, cities and institution districts for the care, maintenance and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to institution districts under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities and institution districts certain powers and duties; prohibiting cities, counties and institution districts from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," by extending the provisions of the act to include institutions of boroughs, incorporated towns and townships.

Which was referred to the Committee on Municipal Government.

Mr. CROWE read in his place and presented to the Chair, Senate Bill No. 448, entitled:

An Act to amend clause (d) of section one thousand two hundred sixteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further regulating sabbatical leaves for certain school employes.

Which was committed to the Committee on Education.

Mr. BECKER read in his place and presented to the Chair, Senate Bill No. 449, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

Which was committed to the Committee on Appropriations.

Messrs. JAMES and STIEFEL read in their places and presented to the Chair, Senate Bill No. 450, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HOLLAND read in his place and presented to the Chair, Senate Bill No. 451, entitled:

An Act to amend section four hundred seven of the act approved the fifth day of December, one thousand nine hundred thirty-six, (P. L. 2897, 1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for payment of compensation to employes upon discharge from the armed forces of the United States.

Which was committed to the Committee on Workmen's Compensation.

Mr. SNOWDEN read in his place and presented to the Chair, Senate Bill No. 452, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties, Pennsylvania, known as Pennsylvania Ordnance Works, and ceding jurisdiction to the United States.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair, Senate Bill No. 453, entitled:

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund.

Which was committed to the Committee on State Government.

Mr. SHAPIRO. Mr. President, in connection with three bills which I am about to present to the Chair, I should like to say a word in explanation.

Last week I suggested that the amendment proposed to the Constitution by the gentleman from Philadelphia, Dr. Woodward, for the purpose of having an annual session of the Legislature, could be avoided. I desire to explain the bills which I now propose, which will avoid, in my opinion, the necessity for that amendment to the Constitution.

In the first place, the thought back of these bills is that the meeting of the Senate and House shall be made more flexible, so that there may be no need for this amendment. Secondly, so that there may be taken care of one of the most important questions that is arising at this time.

Just at the present time we all know that the Governor of this Commonwealth is being asked by the Federal Government to provide a method for handling emergency situations during the war, and we are all reluctant, and justifiably so to giving blanket power of suspending or altering laws to any individual, irrespective of political belief. One of the important reasons why that has to be done is the difficulty of having legislative meetings and the expense in calling the Legislature together.

The purpose of these bills is to avoid that and to afford an opportunity for the Governor to do two things: one is to call a session of the legislature whenever he wants to do so, without unnecessary burdensome expense. The other is to allow the Governor in trying times, in time of economic distress, to make a budget for one year only or for two years, as he sees fit and necessary under the circumstances.

To do that it will be necessary to amend several acts of the Commonwealth. The first one is the act of 1919, which deals with the pay of Senators. This bill will eliminate any compensation for special sessions to members of the House and Senate and will provide a salary payable monthly over a two year period to each Senator and member of the House.

The amount fixed in this bill is, I should say, arbitrary and subject to discussion. In other words, I have fixed an arbitrary amount of $250 per month for each Senator and member of the House. I have eliminated in this bill any compensation for special sessions. I have provided for $125 annually for stamps.

The second bill deals with per diem employes and that is one of the things that has been causing a great deal of trouble in connection with special sessions. I have eliminated all employes except the regular officers, and added a provision that all other officers and employes necessary for the proper conduct of the work of the two branches of the Legislature shall be provided for and their duties and compensation fixed by the Senate and House of Representatives, respectively.

That means, of course, that there will have to be some other acts repealed, but I have left those acts for later discussion, if the proposition which I suggest meets with favorable approval. If it does not, there is no point in burdening the records of this Senate with additional bills.

A third, and important bill, proposes an amendment to the administrative code. At the present time the Governor is obliged under the code to receive information once every two years from the members of various departments and the budget secretary is supposed to make up and prepare figures so that they can be properly approached for the purpose of preparing a budget in the odd numbered years.

This bill provides that the Governor may submit a budget annually, rather than bi-annually. The specific provision is that the budget submitted to the General Assembly in odd-numbered years may, in the discretion of the Governor, cover either the next succeeding biennium or only the next succeeding fiscal year. In case a budget is submitted covering only the next succeeding fiscal year, a second budget covering the remaining year of the biennium shall be submitted to an Extraordinary Session of the General Assembly to be convened during January of the next even-numbered year, for the purpose of considering and acting upon such budget and for any other regularly designated purpose.

Mr. President, I submit these bills without any pride of authorship and merely in the interest of attempting to solve two problems which are very pressing and very important. It seems to me that if this suggestion is adopted, I think we will have no necessity for giving blanket authority to the Governor. The Governor under this bill can call a special session of the legislature and the cost will be minimized, and he can call it at any time after the small period of time necessary for notice provided for in the Constitution.

I should like to say one more word on this subject. The salary provisions may sound as if I am trying to increase the salaries of Senators. I am. I think, first of all, that everybody will admit that Senators have not been receiving proper compensation for the work that they are doing. On the other hand, however, we have had so many Special Sessions in the last four years that there will be very little difference between what we would receive under the terms of this bill and what we have been actually receiving during these past four years.

More important than anything else, in my opinion, is the facility of meetings which this measure provides. In other words, this Senate can convene, it can stay in session three months and can adjourn, to be called back three months later or three days later or a month later; it can stay in session for a given period of time and adjourn and the Governor can call it back in a month again at no extra cost to the Commonwealth, with the per diem employes fixed according to the necessities of each particular session, and with a working force on hand at all times to carry on the business of the Senate.

In addition to that, Mr. President, it may save the cost of a great many committees which are appointed for the purpose of making investigations during the interim between sessions, and Senate committees can remain Senate committees over a period of two years without regard of adjournment of sessions.

I suggest that this matter be treated, as I think it will and can be, as a non-partisan effort to present a solution to the problem and that a group of members on both sides of the House be appointed to give the matter consideration and consult with the Governor, both as to subsequent actions with regard to the Senate itself and, more important, to the present demand for emergency war legislation.

I think this ought to be presented on the basis that it might avoid the necessity of such legislation and therefor I now read in place and present to the Chair the following three bills.

Mr. SHAPIRO read in his place and presented to the Chair, Senate Bill No. 454, entitled:

An Act to further amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred and nineteen (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices; and repealing all acts or parts of acts inconsistent therewith," by changing the salary and the postage allowance of members of the General Assembly.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair, Senate Bill No. 455, entitled:

An Act providing for certain officers in the Senate and House of Representatives of the General Assembly, and fixing the compensation thereof; and providing that the Senate and House of Representatives, respectively, shall appoint and fix the duties and compensation of all other officers and employes necessary for the proper conduct of their work.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair, Senate Bill No. 456, entitled:

An Act to amend section six hundred one and to further amend section six hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing, subject to the Governor's discretion, for the annual preparation and submission to the General Assembly of a State budget.

Which was committed to the Committee on State Government.

Mr. KEPHART read in his place and presented to the Chair, Senate Bill No. 457, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the Forty-eighth Ward of the City of Philadelphia, Pennsylvania, known as the Philadelphia Quartermaster Depot, and ceding jurisdiction to the United States.

Which was committed to the Committee on State Government.

Mr. WALKER read in his place and presented to the Chair, Senate Bill No. 458, entitled:

An Act to further amend section three hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," prohibiting the appointment of any member of the Pennsylvania Game Commission to any paid position under the jurisdiction of the said commission, until two years after the termination of his service as commissioner.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair, Senate Bill No. 459, entitled:

An Act to amend sections seven hundred sixteen and seven hundred twenty-three, and to add clause (r) to section seven hundred thirty-one of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," making it unlawful to import into this Commonwealth any wild hare or rabbit, or to possess, release or sell any such hare or rabbit, and providing penalties.

Which was committed to the Committee on Public Health.

Mr. JASPAN (by request) read in his place and presented to the Chair, Senate Bill No. 460, entitled:

An Act relating to the practice of Naturopathy; providing a Board of Naturopathic Education and Licensure in the Department of Public Instruction, and means and methods whereby the right to practice Naturopathy and any of its branches may be obtained, and for the exemptions therefrom; providing for revocation or suspension of licenses by said Board, and for appeals; and providing penalties for violation thereof.

Which was committed to the Committee on State Government.

Mr. RUTH read in his place and presented to the Chair, Senate Bill No. 461, entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing and regulating the release of pupils from the public schools for religious instruction.

Which was committed to the Committee on Education.

RESOLUTION

JOINT SESSION IN COMMEMORATION OF THOMAS JEFFERSON

Mr. CHAPMAN offered the following resolution which was twice read as follows:

In the Senate, March 30, 1943.

Whereas, Pursuant to Senate Concurrent Resolution of March 5, 1941, adopted by the Senate on March 5, 1941, and concurred in by the House on March 17, 1941, a Commission was appointed by the General Assembly of Pennsylvania known as the "Thomas Jefferson Bicentennial Commission of Pennsylvania" for the purpose of evolving plans in collaboration with the Thomas Jefferson Bicentennial Commission established by U. S. Congress in order that same may be submitted to the General Assembly of Pennsylvania preparatory to the celebration of the Bicentennial of the birth of Thomas Jefferson on April 13, 1943;

Whereas, The Thomas Jefferson Bicentennial Commission of Pennsylvania evolved elaborate plans long before the entry of the United States into the present global war calling for a grandiose celebration throughout the entire breadth and length of our Commonwealth; and

Whereas, Our present war-efforts call for an avoidance of any and all detractions from our total war-efforts needed for the attainment of victory and thus preclude local celebrations in each one of the thirty-six districts originally designated by the Thomas Jefferson Bicentennial Commission of Pennsylvania as well as the execution of the maximum program, the blueprint whereof was submitted to the General Assembly of Pennsylvania on March 11, 1942, and

Whereas, The Thomas Jefferson Bicentennial Commission of Pennsylvania decided to recommend to the General Assembly of Pennsylvania to limit the celebration of the Bicentennial of the birth of Thomas Jefferson to (1) a Joint Commemorative Session of the General Assembly of Pennsylvania on Wednesday, April 14, 1943, at 12 P. M. noon, Eastern War Time, to receive appropriate messages from His Excellency the Governor of Pennsylvania and many other dignitaries, (2) for the issuance of Commemorative Certificates for distribution among the members of the General Assembly of Pennsylvania and collaborators of the Commission, (3) to distribute 21 prizes in War Bonds totalling $700.00 for the best essay to be entitled "The Spiritual Legacy of Thomas Jefferson" in a state-wide contest, to be conducted autonomously in each one of the seven districts designated by the Commission and (4) to ask His Excellency, the Governor of Pennsylvania to issue an appropriate Proclamation in Commemoration of the Birth of Thomas Jefferson and his immortal contributions to the American ideology of Government, Now Be It Therefore

Resolved (if the House of Representatives concur), That the Senate and the House of the General Assembly of Pennsylvania hold a Joint Session on Wednesday, April 14, 1943, at 12 o'clock P. M. noon, Eastern War Time, to hear the commemorative messages of His Excellency Edward Martin, Governor of Pennsylvania, His Excellency Colgate Darden, Governor of Virginia, Dr. Robert L. Johnson, Chairman of the State-wide Committee of Educators and other dignitaries; and be it further

Resolved, That the Governor of Pennsylvania be requested to issue an appropriate Proclamation commemorating the Bicentennial of the Birth of Thomas Jefferson on April 13, 1943.

RULE 39 SUSPENDED

Mr. CHAPMAN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be suspended and the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 32, entitled:

An Act authorizing and directing the various officers and agencies of the Commonwealth and any municipality or political subdivision thereof, including counties, cities, towns, townships, boroughs and school districts to cooperate with the United States Government in making deductions of the Victory Tax from the salaries and compensation of the state employes the holding of such moneys and the transmittal thereof to the United States.

Senate Bill No. 119, entitled:

An Act to further amend sections three hundred one and three hundred three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the computation of the reserve liability of life insurance companies the issuance of life insurance policies and redefining deficiency reserve requirements.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

RESOLUTION

CONDEMNATION OF INHUMAN OUTRAGES

Messrs. McGINNIS and FARRELL offered the following resolution which was twice read as follows:

In the Senate, March 30, 1943.

Whereas, This Commonwealth was founded by William Penn in a spirit of freedom for all to worship God according to their own conscience and this is an inalienable right of people everywhere, and

Whereas, The people of Pennsylvania, in common with their fellow-Americans and all civilized humanity, view with horror the brutalities inflicted by their captors upon civilian populations of Nazi-occupied countries, and

Whereas, In complete abrogation of international law and all recognized standards of honorable conduct of warfare a policy of murder of innocent and unarmed men, women and children, and

Whereas, Millions of Greeks, Poles, Czechs, Norwegians, and other nationals have been slain and more than 2,000,000 persons have been exterminated for no other reason than that they are of the Jewish faith, now; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly of Pennsylvania of the Commonwealth of Pennsylvania condemns these inhuman outrages, and urges upon the United States government that all possible means be exercised to end this slaughter, to punish the offenders and to save those who stand under the shadow of imminent execution.

On the question,

Will the Senate agree to the resolution?

Mr. EALY. Mr. President, I think we are all in accord with the spirit of this resolution, but there are a great many words in it, and I therefore ask that this resolution lay on the table until tomorrow.

It was agreed to.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on March 30, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Harold H. Douthitt, Pittsburgh, 50 Thirty-third St.
Michael Lesko, Rankin.
W. E. Shipe, Pittsburgh, 513 Pennsylvania Station.
Harry Tanzer, Pittsburgh, 50-33d St.

ARMSTRONG COUNTY

Duncan C. McCallum, Leechburg.
J. S. Schrecengost, Kittanning.

BEAVER COUNTY

George G. Starr, Beaver Falls.

BLAIR COUNTY

Miss Naomi Harclerode, Altoona.

BRADFORD COUNTY

P. H. Brown, Ulster Twp., Ulster.
Robert B. Nearing, Towanda.

CRAWFORD COUNTY

Mrs. Anna A. Corliss, Townville.

DAUPHIN COUNTY

Miss Virginia L. Walters, Harrisburg.

LACKAWANNA COUNTY

Miss Marion M. Whitney, Scranton.

LAWRENCE COUNTY

James E. Chambers, New Castle.

LUZERNE COUNTY

Mrs. Huldah M. Honeywell, Plymouth.

NORTHAMPTON COUNTY

Miss Carolyn M. Deshler, Bangor.
Harley W. Fulmer, Wilson.

PHILADELPHIA COUNTY

Joseph H. Everett, Phila., 6804 Ditman St.
Matthew R. Kafel, Phila., 1816 Tulip St.
Mrs. Marian Shank, Phila., 5000 Wissahickon Ave.

WARREN COUNTY

Miss Jennie Ryan, Warren.

WASHINGTON COUNTY

William M. Getchey, Canonsburg.
Charles W. Teeple, Donora.

WESTMORELAND COUNTY

Mrs. Ruth A. Rager Greensburg.

YORK COUNTY

William A. Salsgiver, York.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 30, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

BUCKS COUNTY

Ralph D. Schlichter, Sellersville, March 31, 1943.

PHILADELPHIA COUNTY

Howard D. Evoy, Phila, 4809 Wayne Ave., April 1, 1943

LANCASTER COUNTY

Miss Kathryn C. Fisher, Lancaster, April 2, 1943.

MONTGOMERY OUNTY

Alphonso Santangelo, Norristown, April 2, 1943.

BERKS COUNTY

Mrs. Florence S. Balthaser, Richmond Twp., Virginville, April 3, 1943.

ALLEGHENY COUNTY

Miss Rose Rubenstein, Pittsburgh, 526 Federal St., April 9, 1943.

BUCKS COUNTY

A. Marlyn Moyer, Jr., Lower Southampton Twp., Trevose, April 12, 1943.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy.
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE MESSAGE

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 250, entitled:

An Act to amend paragraph (a) of section one of the act, approved the thirty-first day of March, one thousand nine hundred thirty-seven (P. L. 160), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania, terminating the terms of the members thereof, and transferring to the Pennsylvania Public Utility Commission the records, employes, property, and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania; providing that all certificates of public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission, and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania," by providing that members of the Pennsylvania Public Utility Commission, upon the expiration of their terms, may not hold over until their respective successors are duly appointed and qualified

with the information that the House has passed the same without amendments.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill 250, entitled:

An Act to amend paragraph (a) of section one of the act, approved the thirty-first day of March, one thousand nine hundred thirty-seven (P. L. 160), entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission; defining in part the powers and duties of such Commission; abolishing The Public Service Commission of the Commonwealth of Pennsylvania, terminating the terms of the members thereof, and transferring to the Pennsylvania Public Utility Commission the records, employes, property, and equipment of The Public Service Commission of the Commonwealth of Pennsylvania; authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings, legal or otherwise, instituted before, by or against The Public Service Commission of the Commonwealth of Pennsylvania; providing that all certificates of public convenience, contracts, orders, and rules and regulations of the latter commission shall remain effective until repealed, changed or modified by the Pennsylvania Public Utility Commission, and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania," by providing that members of the Pennsylvania Public Utility Commission, upon the expiration of their terms, may not hold over until their respective successors are duly appointed and qualified.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

BILLS FOR CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. LETZLER. Mr. President, I ask unanimous consent that Senate Bill No. 133, on concurrence in House amendments, entitled:

An Act to further amend subsection (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground, and to underground passageways, gangways, airways, drifts, slopes, shafts, overcoats, and stoppings of mining operation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 138, entitled:

An Act to amend sections six hundred four, six hundred five and six hundred seven, and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Department of Internal Affairs.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, in absence of two of the sponsors that have amendments to this bill, I ask unanimous consent that Senate Bill No. 301, on final passage, entitled:

An Act to amend section one hundred four, clause (a) of section two hundred five, clause (a) of section two hundred twelve, section four hundred three, section five hundred five and to add clause (d) to section five hundred two of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," clarifying and correcting the provisions of said sections and providing for the funding of debts represented by judgments entered by courts

go over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 17, on third reading, entitled:

An Act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions providing certain exemptions from taxation execution attachment levy and sale and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 20, entitled:

An Act to amend sections nine hundred twenty-two and nine hundred seventy-nine of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" providing for nominations where successful candidates have died before or on the day of the primary

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections nine hundred twenty-two and nine hundred seventy-nine of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" are hereby amended to read as follows

Section 922 Which Candidates Nominated Candidates of the various political parties for nomination except for the office of President of the United States who receive a plurality of votes of their party electors in the State or in the political district as the case may be at the primary election together with the candidates for the office of presidential elector nominated as herein provided shall be candidates of their respective parties and it shall be the duty of the proper county boards to print their names upon the official ballots and ballot labels at the succeeding election Provided That when a candidate for nomination shall have died before or on the day of the primary election and shall nevertheless receive a plurality of votes of his party electors cast for the office for which he sought nomination then no candidate shall have been nominated for the office at such primay and a substituted nomination may be made in the manner hereinafter provided

Section 979 Substituted Nominations by Parties Any vacancy happening or existing after the date of the primary in any party nomination by reason of the death or withdrawal of any candidate after nomination or by reason of the death before or on the day of the primary election of a candidate for nomination who had received a plurality of votes of his party electors cast for the office for which he sought nomination may be filled by a substituted nomination made by such committee as is authorized by the rules of the party to make nominations in the event of vacancies on the party ticket Provided however That no substitute nomination certificate shall nominate any person who has already been nominated by any political party or by any other political body for the same office Upon the making of any such substituted nomination in accordance with the party rules it shall be the duty of the chairman and secretary or secretaries of the party committee making the nomination to file with the Secretary of the Commonwealth in the case of United States Senator Representative in Congress and all State officers including judges of courts of records senators and representatives and with the proper county board of elections in the case of other offices a nomination certificate which shall be signed by the chairman and secretary or secretaries of the said committee and which shall set forth the following

(a) The office and district if any for which it is filed (b) the cause of the vacancy (c) the rule or rules of the political party setting forth the provisions applicable to a substituted nomination (d) that a quorum of the committee caucus or convention as provided by the party rules duly convened and the names of those present at said meeting or their proxies that said persons are the duly appointed or elected members of said committee caucus or convention (e) the name residence and occupation of the candidate duly nominated at said meeting Every such certificate of nomination shall be sworn to or affirmed by the chairman and secretary or secretaries before an officer qualified to administer oaths

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr, Ealy, Kephart, Stiefel,
Becker, Edmonds, Letzler, Tallman,
Bowers, Farrell, Mallery, Taylor,
Carr, Geltz, McCreesh, Thomas,
Chapman, Gourley, McGinnis, Tyler,
Coleman, Haluska, McQuiddy, Wade,
Cox, Heyburn, Ruth, Walker,
Crider, Holland, Scarlett, Watkins,
Crowe, Homsher, Shapiro, Wilson, H. I.,
Deitrick, James, Snowden, Wilson, T. B.,
Dent, Jaspan, Stevenson, Woodring,
DiSilvestre, Jones,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 37, entitled:

An Act to amend section five hundred forty of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the adjustment of indebtedness where part of a township is annexed to a city of the third class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred forty of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 540 Adjustment of Indebtedness When Part of Township is Annexed Where any part of any township or outlying lots are annexed to any city the township officers of that part of the said township not annexed and the city council of the said city shall make a just and proper adjustment and apportionment of all public property owned by the said township at the time of said annexation both real and personal including funds as well as indebtedness if any to and between the said township and the city In making such adjustment and apportionment of the property and indebtedness the township and the city shall be entitled respectively to share in a division of he property and indebtedness in the proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the land annexed Provided however That where indebtedness was incurred by the township for an improvement located wholly within the annexed part of the township the whole of such indebtedness shall be assumed by the city and where more than fifty per centum of any such improvement is located within the annexed part of the township the part of such indebtedness representing the part of the improvement located within the territory annexed shall be assumed by the city and the adjustment and apportionment of any remaining debt and the public property of the township shall be made as above provided The adjustment and apportionment as made shall be reduced to writing and duly executed and acknowledged by the proper officials and filed in the office of the clerk of the court of quarter sessions of the county in which said city is located

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 71, on third reading, entitled:

A Joint Resolution proposing an amendment to section four, article two of the Constitution of the Commonwealth of Pennsylvania, providing for annual sessions of the General Assembly, salary of members and an annual budget

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 99, on third reading, entitled:

A Joint Resolution proposing an amendment to Section one of Article Fourteen, of the Constitution of the Commonwealth of Pennsylvania, by making sheriffs eligible to succeed themselves

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 177, on third reading, entitled:

An Act to amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties." providing for the payment of contributions by employers in accordance with an experience rating system; and providing for and regulating such experience rating system and the terms and procedure to effectuate the same

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 232, on third reading, entitled:

An Act to amend section one of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 982), entitled "An act relating to the clerk of the court of oyer and terminer, and quarter sessions of the peace, and municipal court, of any county of this Commonwealth, having a population of one million five hundred thousand or over; providing for the salaries and compensation of the clerk of the court of oyer and terminer, and quarter sessions of the peace, and municipal court, deputies, clerks, and employes thereof," by changing titles of various deputies, clerks and employes, and equalizing salaries thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 296, on third reading, entitled:

An Act to repeal the act approved the twenty-seventh day of June one thousand nine hundred thirteen (P. L. 652) entitled "An act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers, in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof; providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities; providing for the creation of a canal board to have charge of said work; prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on; providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred; providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances; imposing certain duties upon the Auditor General and State Treasurer; authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor; and making an appropriation for carrying out certain provisions of this act" as amended by the act of the seventeenth day of June one thousand nine hundred fifteen (P. L. 990).

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 359, entitled:

An Act to amend section sixteen of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" by extending its powers to include the issuance of writs of habeas corpus

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section sixteen of the act approved the twelfth day of July one thousand nine hundred thirteen (P. L. 711) entitled "An act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof" is hereby amended to read as follows

Section 16 The said municipal court shall have full power to make rules regulating the practice and procedure therein and the keeping of its records and subject to the provisions of this act shall have all the powers of a court of record possessed by the courts of common pleas and of quarter sessions of the peace and oyer and terminer in the county of Philadelphia including the power to issue writs of habeas corpus

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
Ruth,
Scarlett,
Snowden,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,

NAYS—5

Edmonds,
Holland,
McQuiddy,
Shapiro,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 440, entitled:

An Act to further amend section seven hundred two of the act approved the fifth day of May, one thousand nine hundred thirty-three, (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof.

RECONSIDERATION OF HOUSE BILL No. 440

Mr. JAMES. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 440, passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. JAMES. Mr. President, I voted "aye".

Mr. WALKER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted "aye".

The motion was agreed to.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. JAMES offered the following amendments:

Amend Sec. 1, (Sec. 702), page 3, line 10, by inserting after the part-word "bers" the following: "who are then present in person or by proxy and;" Amend Sec. 1, (Sec. 702), page 3, line 10, by striking out the following: "who are present."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 527, entitled:

An Act making a deficiency appropriation to aid certain school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of nine hundred fifty thousand dollars ($950,000) is hereby appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine and for defraying the necessary cost for the administration thereof for the balance of the two fiscal years ending May thirty-first one thousand nine hundred and forty-three and for the succeeding fiscal biennium until the thirtieth day of June one thousand nine hundred and forty-three

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 528, entitled:

A Supplement to the act approved the sixteenth day of June one thousand nine hundred forty-one (Appropriation Acts page 13) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-one" providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred forty-three

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred seventy-five thousand dollars ($175.000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of the Auditor General for the payment of the deficiency in the appropriation for the fiscal biennium ending the thirty-first day of May one thousand nine hundred forty-three made to such department by the act to which this is a supplement for the payment of salaries wages and other compensation of a deputy Auditor General and other employes for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, I. B.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 529, entitled:

A Supplement to the act approved the sixteenth day of June one thousand nine hundred forty-one (Appropriation Acts page 13) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-three

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following sums or as much thereof as may be necessary for deficiency in certain appropriations made to the Department of Forests and Waters Department of Health Department of Labor and Industry Department of Military Affairs Department of Property and Supplies Department of Public Instruction Department of Revenue Department of Welfare the Legislative and the Judicial Departments by the act to which this is a supplement are hereby specifically appropriated to such department as follows

To the Department of Forests and Waters

For the payment of the deficiency in the appropriation for the payment of expenses incurred for the extinction and control of forest fires the sum of and to reimburse the Forests and Waters Fund for expenditures made for extinction the sum of two hundred twelve thousand five hundred dollars ($212,500)

To the Department of Health

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health Board and other boards the sum of seventy-five thousand dollars ($75,000) and in addition to said amount all contributions received by the department from private sources for the express use of the department in public health work shall be paid into the General Fund and credited to this appropriation

To the Department of Internal Affairs

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the dedepartment and the Board of Property and the Topographic and Geologic Survey and for the payment of fees to the county commissioners of the several counties of the Commonwealth for data and statistics furnished relative to local taxes the sum of twenty-two thousand five hundred dollars ($22,500)

To the Department of Military Affairs

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the superintendent and other employes for the payment of general expenses supplies printing and equipment for the improvements to land for repairs alterations and improvements to plant and equipment for the purchase of equipment furniture furnishings and live stock for expenses of the Board of Trustees and incidental expenses for burial expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Soldiers' and Sailors' Home at Erie as may be authorized and approved by the Adjutant General the sum of thirty-nine thousand dollars ($39,000) Provided That all moneys received from the United States Government by the Governor of Pennsylvania on account of maintenance of the honorably discharge soldiers and sailors or marines in the Pennsylvania Soldiers' and Sailors' Home at Erie shall be paid into the State Treasury through the Department of Revenue

To the Department of Property and Supplies

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and Capitol Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the advertising schedules of supplies the sale of unserviceable property proposals for executing the State printing and binding proposals for any contract work readvertising any schedule or proposals when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of seventy thousand dollars ($70,000) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employes necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds or used by the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Pennsylvania Game Commission the Board of Fish Commissioners the Pennsylvania Liquor Control Board the Milk Control Commission or the State Workmen's Insurance Board or for the cleaning and care of offices or other quarters outside the city of Harrisburg used by any other department board or commission or for the cleaning and care of the State Arsenal or any barracks used by the Pennsylvania Motor Police

For the payment of the deficiency in the appropriation for the cost of printing and distributing records of the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans of the World War as provided by law the sum of nine hundred dollars ($900)

For the payment of the deficiency in the appropriation for the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equipment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the General Assembly in accordance with law the sum of two hundred fifty thousand dollars ($250,000)

To the Department of Public Instruction

For the payment of the deficiency in the appropriation for the payment of salaries of the county superintendents of public schools as required by law the sum of three thousand six hundred twelve dollars ($3,612)

For the payment of the deficiency in the appropriation for reimbursement to school districts for transportation of school children as required by law the sum of six hundred eighty-three thousand dollars ($683,000)

For the payment of the deficiency in the appropriation for the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarship to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians as required by law for the expenses of blind students in attendance at institutions of higher learning as provided by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of forty-four thousand dollars ($44,000)

For the payment of the deficiency in the appropriation for reimbursing school districts upon the salaries of school teachers and for closed schools and for nonresident high school tuition as required by law the sum of three million one hundred forty-six thousand three hundred thirty-seven dollars ($3,146,337) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

For the payment of the deficiency in the appropriation for payment of salaries wages or other compensation of the presidents or principals and other employes for the expenses of maintaining and operating automobiles and other motor equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges and the Cheyney Training School for Teachers as may be authorized and approved by the Superintendent of Public Instruction the sum of one hundred seventy-six thousand five hundred forty-six dollars ($176,546) and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and the Cheyney Training School and paid into the General Fund of the State Treasury under existing law are hereby appropriated out of the General Fund to the several State Teachers Colleges and Training Schools for the same purpose each college and school to receive from such appropriation the exact amount which was collected at said school or college during the said fiscal years

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Board of Censors the sum of two thousand dollars ($2,000)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of superintendents and other employes for the payment of general expenses supplies printing and equipment for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the Superintendent of Public Instruction in the amounts hereinafter specified

Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania	($3,991)
Thaddeus Stevens Industrial School at Lancaster Pennsylvania	($12,087)

To the Department of Revenue

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses rentals equipment and other expenses incidental to the collection of inheritance and estate taxes and mercantile license taxes supplies printing and equipment necessary for the proper conduct of the work of the department for the payment of cost of filing liens for the purchase of tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of fifty thousand dollars ($50,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

To the Department of Welfare

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of forty thousand dollars ($40,000)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the superintendents or wardens and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses for the payment of gratuities clothing and parole expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Pennsylvania Industrial School at Huntingdon the Pennsylvania Training School at Morganza the State Industrial Home for Women at Muncy the Eastern State Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the State Penitentiary at Rockview and any other institution hereafter established for the custody of prisoners as may be authorized and approved by the Secretary of Welfare the sum of eight hundred thirty thousand dollars ($830,000)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Allentown State Hospital at Allentown the Danville State Hospital at Danville the Farview State Hospital at Farview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Philadelphia State Hospital at Philadelphia the Wernersville State Hospital at Wernersville and any other institution established for the care and treatment of the insane as may be authorized and approved by the Secretary of Welfare the sum of one million four hundred fifty-five thousand dollars ($1,455,000)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs alterations and improvements to plant and equipment for improvements to lands for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of one hundred fifty thousand dollars ($150,000)

For the payment of the deficiency in the appropriation for the payment of salaries wages or other compensation of the superintendents and other employes for the payment of general expenses supplies and printing for repairs for the purchase of equipment furniture and furnishings for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of one hundred seventy thousand dollars ($170,000)

To the Legislative Department

House of Representatives

For the payment of the deficiency in the appropriation for the payment of the salary of the custodian of the Hall of the House of Representatives for the time employed in the period beginning June first one thousand nine hundred and forty-one as provided by law the sum of nine hundred dollars ($900)

To the Judicial Department

For the payment of the deficiency in the appropriation for the payment of the judges of the courts of common pleas of Dauphin County for clerk hire in accordance with the law and for premiums for workmen's compensation insurance covering such clerks the sum of one hundred eighty-one dollars ($181)

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WALKER. Mr. President, I voted for the two prior deficiency appropriation bills and I propose to vote for this one, but I would like to make one comment about deficiency appropriations, and I very carefully waited until we voted on the two proceeding deficiency bills on the Calendar, so that anything I might say would not be construed as being partisan remarks.

They tell me that from the day Abraham Lincoln bowed his head there on the wall until the present time there have been deficiency appropriations in every session of the Legislature, and there would be from now until time ceaseth to run—perhaps that is a part of government, that we must have deficiency appropriations.

I, personally, in my short term of office here in the

Senate, have never become reconciled to the fact that deficiency appropriations are "must" legislation, that we must have them, and I think that it is either bad judgment on the part of the Legislature that appropriates the money, or else that it is bad judgment on the part of the departmental official who makes up the budget, or bad judgment on the part of the executive who perhaps, in his executive wisdom, cuts the budget after it has passed the Legislature.

Occasionally there may be a time when a department official or the Legislature or even the Governor can not anticipate some unforeseen incident which would arise and which would materially affect the budget of a particular department or the budgets, perhaps, of all the departments on Capitol Hill.

There may be a sudden increase in the cost of doing business during a period of government that will produce deficiency appropriations, but there have been an intermittent number of these bills appearing time after time before the Legislature and I think it is time that the Legislature took the position that they would say to department officials that these budgets must be handled on a businesslike basis, and when a department official is given "x" dollars to run his department, he is duty bound as a public official to run it on that amount of money and not feel that he can just blatantly spend as much as he pleases and then come back two years later and ask for a deficiency appropriation, without paying any attention to the money given to him, without having any interest in trying to keep his budget within the money appropriated by the various Legislatures of the various sessions, because they always know that come the cold gray dawn of January, in the odd numbered years, they can come back in here and upset the Governor's budget by asking for deficiency appropriations.

I think the Legislature ought to point out to departmental heads that just because these deficiency appropriations are passed at this time by unanimous vote, that does not mean that the members of this Senate are unanimously in favor of deficiency appropriations, but that we are going to demand that there be a stop to the slipshod methods of departments in doing things like that, and that, in the future, any department head who comes in here and asks for a deficiency appropriation is certainly going to have to justify his cause and prove the worthiness of his claim.

It is true that these three items now on the Calendar have been very carefully scrutinized by the Committee on Appropriations in the Senate and the justifiableness of the claims made passed upon by the members of that Committee, but I think the fact that approval is granted on these three items should not be taken by the various departments on the Hill as a wide open invitation to spend whatsoever they please in running their departments and then expect the Legislative Session of 1945, upon returning, to give them whatever amount they are in deficit.

Expenditures of various items are supposed to be controlled, they are supposed to be spent according to the appropriations, they are supposed to be spent in strict accordance with the appropriation, and when there is a variance there is a violation of the Appropriation Act, but it is always covered up by a deficiency bill, and I think that those who are in power in this Senate and those who are in power in this State government should very carefully warn various departmental heads that the time for such situations as this has stopped, that no longer will we just willy-nilly give them whatever they desire under the guise of a deficiency appropriation, because I am serving notice personally on departmental heads this is the last one of these deficiency appropriation bills I propose to vote for.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING

BILL OVER IN ORDER

Mr. HOLLAND. Mr. President, I ask unanimous consent that Senate Bill No. 14, on second reading, entitled:

An Act establishing the Pennsylvania State Technical School of Aeronautics; providing for the taking over of one of the State teachers' colleges therefor, and for the appointment of a committee to select the same; imposing duties on the Department of Property and Supplies; creating the Board of Trustees of the Pennsylvania State Technical School of Aeronautics; and prescribing its powers and duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 18, entitled:

An Act relating to parole; abolishing the Pennsylvania Board of Parole; reestablishing the jurisdiction, powers and duties of the courts and of the Board of Pardons with respect to parole; and authorizing the employment by the Attorney General of a Supervisor of Paroles and field agents.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 36, on second reading, entitled:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 39, entitled:

An Act to amend section seven hundred seventeen of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," further regulating the adjustment of liabilities and property where part of a township is annexed to a borough.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 56, entitled:

An Act to amend section ten of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by changing the requirements as to the service of apprentices in beauty shops.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. DENT offered the following amendments:

Amend Sec. 1, (Sec. 10), page 2, line 12, by striking out the bracket before the word "Any"; Amend Sec. 1, (Sec. 10), page 2, line 15, by inserting after the word "apprentices" the following: "and apprentice may serve in any registered beauty shop employing four or more licensed operators in which a licensed owner or licensed manager maintains actual working supervision over the practice of beauty culture therein;" Amend Sec. 1, (Sec. 10), page 2, lines 18 to 23, by striking out the following "] Apprentices may serve in any regis-" in line 18, and all of lines 19 to 23, both inclusive; Amend Sec. 1, (Sec. 10), page 2, line 24, by inserting after the word "provided" the following: "that in each instance."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Mr. DENT. By way of clarification, Mr. President, all this amendment is intended to do is to make sure that the present features of the act are not eliminated by the amendments which were added in the original drawing of the act.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 311, entitled:

An Act relating to appointments, reclassifications and promotions under any civil service system of this Commonwealth, since December seventh, one thousand nine hundred forty-one, until a period after the cessation of hostilities; making such appointments of war duration; providing for examinations at the end of such period; abolishing the State Civil Service Commission during such period; providing for the appointment of members at the end thereof conferring powers and imposing duties on the Superintendent of Public Instruction; suspending inconsistent laws; and prohibiting the establishment of civil service systems by rule or regulation for a limited period.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO, from the Committee on Banking, reported as amended, Senate Bill No. 388, entitled:

An Act to amend sections three and four of and to add section 6.1 to the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties, cities, boroughs and incorporated towns.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 34, entitled:

An Act to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by providing that employes on retirement for superannuation who return to active school service during the present war shall not, upon return to retirement, receive any smaller allowance than that received prior to return to active school service.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 60, entitled:

An Act to further amend sections two thousand six hundred twenty and two thousand six hundred twenty-five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the filing of copies of auditors' reports in school districts of the third and fourth classes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 79, entitled:

An Act relating to the investing, reinvesting, acquiring, exchanging, retaining, selling, and managing property by fiduciaries, and repealing acts or parts of acts inconsistent herewith.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 100, entitled:

An Act to reenact and further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under ceretain circumstances" by authorizing commissioners to sell lands purchased at treasurers' sales upon which the period of redemption has expired and providing for notice of such sale or sales.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 105, entitled:

An Act to reenact and amend the title of, and the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2611), entitled "An act authorizing political subdivisions, other than cities of the first class, to set-off delinquent taxes and municipal claims and penalties, interest, and cost due thereon, against claims and accounts due by such political subdivisions," extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 114, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 131, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing for the issuing of free resident fishing licenses to persons over sixty-five years of age.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 138, entitled:

An Act to further amend section seven of the act approved the second day of May one thousand eight hundred eighty-nine (P. L. 66) entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" by providing that any number of items paid into or deposited in the custody or under the control of any court of the United States in and for any district within this Commonwealth or in the custody of any depository registry or of any receiver clerk or other officer of any of said courts may be joined in one petition of escheat.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 146, entitled:

An Act to further amend clause one of section three and section twelve of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further extending the time for present employes as defined in the act to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 165, entitled:

An Act to amend section six hundred seven, and to further amend section seven hundred one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the appointment of certified public accountants for the purpose of auditing the accounts of the Auditor General, and requiring the Auditor General to submit all books, records and papers to such accountants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 185, entitled:

An Act to further amend clause (c) of paragraph nineteen of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing that school districts of the third class which are in or coterminous with townships shall hereafter be entitled to receive annual payments from the Superintendent of Public Instruction for certain closed or discontinued schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 193, entitled:

An Act to amend Section six hundred fifty-one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," permitting persons under the age of eighteen years to be present in bowling alleys.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 207, entitled:

An Act providing for commissioning as police officers, certain employes of institutions maintained in whole or in part by the Commonwealth; conferring upon them the powers of constables in certain cases; and imposing duties on wardens and keepers of jails, police stations and lock-ups.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 230, entitled:

An Act to amend section two of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 228) entitled "A supplement to the act approved the eighteenth day of June one thousand nine hundred and twenty-three (P. L. 840) entitled 'An act concerning declaratory judgments and decrees and to make uniform the law relating thereto' prescribing the practice to be pursued in such proceedings" making further provision for the service and return of petitions for declaratory judgments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 240, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting alumni or alumnae associations from the provisions of the act in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 241, entitled:

An Act to amend section six hundred twenty-eight of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing for the prescribing, issuing and filing of certain forms by and with the Commissioner of the Pennsylvania Motor Police instead of the Secretary of the Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 267, entitled:

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 281, entitled:

An Act to amend section one of the act approved the eleventh day of May one thousand eight hundred ninety three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" authorizing certain corporations to make allowances or pensions to officers or employes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 290, entitled:

An Act to amend sections one and seven of the act, approved the twenty-first day of July, one thousand nine hundred forty-one (P. L. 425), entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses, regulating the amount, payment and taxation as costs thereof, and repealing inconsistent legislation," further regulating the payment of witnesses and the taxation thereof as costs of the proceeding.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 297, entitled:

An Act to amend Article II section two hundred two and to repeal Article IV section four hundred thirty-three and Article XVIII section one thousand eight hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 312, entitled:

An Act to further amend section one thousand four hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for payment for education of blind children out of appropriations made to the Department of Public Instruction for such purposes and conforming said section to existing law.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 313, entitled:

An Act authorizing the Department of Public Instruction to act as agent for the several school districts and vocation school districts in the purchase, without bids, and distribution among such districts of material, supplies and equipment subject to priorities and on which prices have been stabilized, to be used in vocational education of workers on war work; and validating such action heretofore taken.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 314, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth dav of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by changing the provisions for supervisors of special education in counties employing fewer than five hundred and and fifty teachers.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 317, entitled:

An Act to further amend section one of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," reducing the number of judges of said court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 320, entitled:

An Act to amend the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, reenactments and repeals of statutes," further providing for the position of the enacting clause, and the construction of provisos; prescribing the effect of amendments on limitations and periods of time; and further defining the phrase "political subdivisions."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 341, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax and prescribing penalties," by further extending the exemptions from the tax imposed by the said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 346, entitled:

An Act suspending for the duration of the present national emergency, and for six months thereafter, the statutory provisions as to advertising and competitive bidding on contracts of counties, institution districts, cities and boroughs, for the purchase of goods, materials, and merchandise which are rationed or on which a maximum price ceiling has been fixed under regulations of the Federal Government, and providing for the award of contracts in such cases to the lowest and best bidder after due inquiry.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 351, entitled:

An Act to further amend section one thousand two hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for sabbatical leaves of absence for employes of State teachers colleges and the Cheyney Training School for Teachers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 361, entitled:

An Act regulating commercial strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, including issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 388, entitled:

An Act to amend sections three and four of and to add section 6.1 to the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties, cities, boroughs and incorporated towns.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 401, entitled:

An Act to amend section five hundred twenty-five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administration officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by making provision for the destruction of certain records in the various administrative departments, boards or commissions, after such records have been first microfilmed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 404, entitled:

An Act to amend section one of the act, approved the twenty-fourth day of April, one thousand nine hundred thirty-one (P. L. 48), entitled "An act requiring the recording of certain written agreements pertaining to real property, and prescribing the effect thereof as to subsequent purchasers, mortgages, and judgment creditors of the parties thereto," requiring that written agreements pertaining to real property be acknowledged by the sellers or grantors therein.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 422, entitled:

An Act to further amend section one of the act, approved the sixteenth day of April, one thousand nine hundred seven (P. L. 92), entitled as amended "An act defining the duty of coroners, where death is sudden or violent, or is of a suspicious nature and character, and of police, and health authorities, in this Commonwealth, in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner, but where it appears the cause of death is not surrounded by suspicious circumstances," by providing that investigations of deaths caused by accidents shall be made by the coroner of the county in which the accident causing death occurred.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 475, entitled:

An Act to further amend section twenty-five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by providing that in the case of any spouse on active duty in the armed service of the United States in time of war, the affidavit accompanying his or her libel in divorce may be taken, within or without the Commonwealth, before any officer commissioned in the armed forces of the United States authorized by law to take affidavits and acknowledgments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 487, entitled:

An Act to amend section three of the act approved the third day of May one thousand nine hundred and nine (P. L. 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" by providing for granting of warrants and rights to certain additional lands.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 688, entitled:

An Act authorizing political subdivisions to refund money erroneously or inadvertently paid by persons and corporations into the treasury thereof for municipal improvements or upon municipal assessments liens whereof have been subsequently declared illegal and invalid.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 504, entitled:

An Act providing that persons in the armed forces and merchant marine of the United States and its allies may renew licenses or certificates to engage in professions and occupations after discharge from military service.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS INTRODUCED AND REFERRED

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ read in place and presented to the Chair, Senate Bill No. 462, entitled:

An Act making an appropriation to the State Veterans' Commission for the expenses of the commission; furnishing certain assistance to needy Pennsylvania veterans of any war or their dependents; for participation in certain defense activities and for the rehabilitation and care of veterans, including the acquisition of land and construction of buildings for such purpose.

Which was committed to the Committee on Military Affairs.

Mr. FARRELL. Mr. President, I ask unanimous consent to introduce a bill a this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FARRELL read in place and presented to the Chair, Senate Bill No. 463, entitled:

An Act making an appropriation to the Department of Welfare for the purchase of furniture and equipment for the Philadelphia State Hospital.

Which was committed to the Committee on Appropriations.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, March 31, 1943, at 3:00 o'clock p. m. Eastern War Time.

Mr. DiSILVESTRO. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:16 o'clock p. m. Eastern War Time until Wednesday, March 31, 1943, at 3:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

TUESDAY, March 30, 1943.

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O God, Thou who art ever prompt to keep Thy promise, look with Thy tender mercy upon all our needs. Hearten us by Thy continued presence and by Thy word. Grant us grace to serve without thought of personal gain and give us the ability to do any task that is given us to do. Never let us fail Thee carelessly but may we faithfully strive so that Thy kingdom may come and Thy will be done, on earth as it is in Heaven. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, March 29, 1943.

The Clerk proceeded to read the Journal of Tuesday, March 29, 1943, when, on motion of Mr. ROWLEY, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. VAN ALLSBURG. HOUSE BILL No. 1071.

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependant children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," declaring the legislative intent restricting the powers of the Department of Public Assistance and the State Board of Public Assistance; extending the powers of county boards of assistance; changing the membership and power to appoint members of county boards of assistance; conferring powers and imposing duties on county commissioners and courts of common pleas; making provision, reciprocal with other states, for assistance to certain aged persons; and imposing a part of the cost of public assistance on the counties, and requiring the levy of taxes therefor.

Referred to the Committee on Welfare.

By Mr. DENNISON. HOUSE BILL No. 1072.

An Act providing for refunds, by the Pennsylvania Board of Finance and Revenue, of state personal property taxes paid upon certain personal property by liquidating trustees, receivers or other fiduciaries of banks, trust companies and savings institutions; and making an appropriation.

Referred to the Committee on State Government.

By Mr. McMILLEN. HOUSE BILL No. 1073.

An Act creating a commission to investigate the operation of labor organizations in the Commonwealth; conferring powers upon said commission; and making an appropriation.

Referred to the Committee on Labor.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 78.

An Act to further amend sections two hundred twenty, and two hundred eighty-five of the act approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," increasing the resident fishing license fee and limiting the use of the money derived from such increase

Referred to the Committee on Fisheries.

SENATE BILL No. 218.

An Act to further amend Section 601 602 and 605 of and to add Sections 601.1 601.2 and 601.3 to the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" changing and further providing procedure to create change or establish boundaries of wards in boroughs imposing additional duties on borough councils, providing in certain cases for local option and terminating unfinished proceedings heretofore commenced for such purposes.

Referred to the Committee on Boroughs.

SENATE BILL No. 248.

An Act regulating and providing fees of the clerks of quarter sessions of counties of the fourth class.

Referred to the Committee on Judiciary General.

SENATE BILL No. 298.

An Act providing for and regulating the accumulation, investment and expenditure by counties, cities, boroughs, incorporated towns and townships, of funds for post war projects.

Referred to the Committee on Municipal Corporations.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. REYNOLDS. RESOLUTION No. 46.

In the House of Representatives, March 29, 1943.

Whereas, a state and national emergency exists in the production of food products due to the unprecedented war demands, and

Whereas, it is the patriotic duty of every citizen to give of his time and effort to produce essential vegetables from garden plots located near his home and to which no transportation facilities are required, and

Whereas, in many areas of the Commonwealth, and especially in the urban communities, large acreage is not conveniently available for such purpose, and

Whereas, in such urban communities there are many vacant lots or plots of unimproved land adjacent or near to improved residential property, and

Whereas, in many cases the municipalities are receiving no income in taxes from these vacant lots which cannot be improved due to building restrictions made necessary by the war, it is therefore

Resolved, That such vacant lots located within the Commonwealth, for which no useful purpose is intended, or against which no legal proceedings are impending, be made available for the public interest and cultivation of edible products through sequestration by the various municipalities under authority of the Commonwealth, effective upon the passage of this Resolution and continuing in effect for the duration of the war and for one planting season thereafter, and it is further

Resolved, That the execution of such sequestration shall be vested in the chief executive officer and council or board of township commissioners of any municipality in the Commonwealth, and which after the passage of a resolution conforming to this Resolution; and after a five day notice shall have been mailed to the property owner and as a result of which said property owner has not responded; shall issue a permit to any responsible citizen upon his agreement in writing to cultivate such lot or lots; however, said citizen shall forfeit his right if cultivation is delayed beyond the proper time of planting for one season. Finally it is

Resolved, That due to the urgent need, this Resolution be adopted without delay in order that the benefits of its provisions may be secured for the planting season of the year 1943.

Referred to the Committee on Rules.

By Mr. HEATHERINGTON. (Not Printed).

In the House of Representatives, March 29, 1943.

Mrs. George McBride of Allegheny County, will christen the United States Destroyer Escort "Scott" at the Philadelphia Navy Yard on April 1st.

This honor has been conferred upon Mrs. McBride in recognition of her personal contribution to her country's fighting force, and the invitation was contained in a letter received from Secretary of the Navy Knox.

Mrs. McBride is the mother of five sons who are now in service. Emmett and Terry are stationed in Puerto Rico, Eugene and George are at Newport, Rhode Island, and George is attending the submarine school at New London, Connecticut, therefore be it

Resolved, That the House of Representatives extends its sincere congratulations to Mrs. McBride upon the well-deserved honor that has been conferred upon her by the Navy Department, and in evidence of its pride in her personal contribution to the Nation, it directs the Chief Clerk of the House to forward a copy of this Resolution to her at her home at 2205 Grandview Street, in the City of McKeesport.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. BARTON, from the Committee on Counties, reported as committed, House Bill No. 514, entitled:

An Act to amend the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties," further regulating such retirement systems.

Mr. ALSPACH, from the Committee on Judiciary General, reported as committed, House Bill No. 680, entitled:

An Act to amend section one of the act which became effective on the seventh day of July, one thousand eight hundred and seventy-nine (P. L. 194), entitled "An act to enlarge the jurisdiction of justices of peace, and regulating the fees of constables making sales under this act," further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen.

Mr. COOPER, from the Committee on Judiciary General, reported as committed, House Bill No. 684, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing the certain officers of dissolved business corporations to execute and deliver deeds, conveyances, agreements, assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution.

Mr. SMITH, from the Committee on Cities—Second Class, reported as committed, House Bill No. 735, entitled:

An Act to amend sections eleven, fifteen, and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled

"An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Reviews; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," further regulating appeals from assessments, and exonerations and refunds of taxes effected thereby; validating appeals heretofore taken; and imposing additional duties upon the said board.

Mr. SMITH, from the Committee on Cities—Second Class, reported as committed, House Bill No. 742, entitled:

An Act to amend section one of the act, approved the fifteenth day of June, one thousand nine hundred and thirty-nine (P. L. 346), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed, levied and collected upon the basis of the county assessments; imposing duties on county assessing authorities; abolishing the department of assessors in cities of the second class and transferring certain property to county taxing authorities," by defining the effect upon appeals of the certification of tax duplicates to cities of the second class and to school district coterminous therewith, and providing for exonerations and refunds of taxes assessed against properties affected by such appeals.

Mr. VAN ALLSBURG, from the Committee on Education, reported as committed, House Bill No. 886, entitled:

An Act to amend sections one thousand one hundred twenty, one thousand one hundred twenty-eight and one thousand one hundred thirty-nine of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by providing for the appointment of substitute and acting county superintendents of schools, substitute assistant county superintendents of schools, substitute supervisors of special education, and substitute and acting district superintendents of schools.

Mr. GATES, from the Committee on Cities—Second Class, re-reported as committed, House Bill No. 584, entitled:

An Act authorizing counties of the second class to regulate the production of smoke from chimneys, smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto; authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations; and providing penalties for the violation thereof.

The SPEAKER. The Chair requests the gentleman from Lancaster, Mr. Trout, to preside during first reading bills.

MR. TROUT IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 800, entitled:

An Act to amend article twelve of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," by conferring certain jurisdiction upon justices of the peace, aldermen, and magistrates with respect to summary cases involving violations of said act by minors under the age of eighteen years.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 817, entitled:

An Act to amend the title and the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2420), entitled "An act fixing the hours of rest each calendar week, and the vacation period of members of the Pennsylvania Motor Police, Motor Police and Patrolmen and Guards in State Parks," by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 818, entitled:

An Act to amend sections one, two and four of the act, approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 494), entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing the powers and duties, and authorizing the use of the committee of the employes, equipment, supplies and facilities of certain State agencies," by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 819, entitled:

An Act to further amend the title and the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1314), entitled as amended, "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth; prescribing the qualifications for admission of such persons to such school; providing for the payment of certain costs by such students; conferring certain powers upon the Pennsylvania Motor Police; and making an appropriation," by imposing upon the Pennsylvania State Police the duties formerly imposed upon the Pennsylvania Motor Police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 820, entitled:

An Act to amend the title and certain sections of the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), entitled "An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," by changing the name of the Pennsylvania Motor Police Retirement Systen to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police, and conforming said act to existing law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 824, entitled:

An Act to further amend certain sections of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," as reenacted and amended, by making the moneys in the Motor License Fund available to the Pennsylvania State Police to defray the expenses required by such agency in the proper conduct of part of its work.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House No. 826, entitled:

An Act to further amend sections 823 (i) and (j) and 1211 of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as variously amended, by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 829, entitled:

An Act to amend the title and sections four, five, six and eight of the act, approved the third day of July, one thousand nine hundred forty-one (P. L. 249), entitled "A supplement to the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), as amended, entitled, 'An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties,'" by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System and the name Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 831, entitled:

An Act to amend the title and certain sections of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 660), entitled "An act providing for the return of escaped prisoners and convicts after apprehension, to the penitentiary or state institution from which they escape, by the agents of the Department of Justice or the Pennsylvania Motor Police, and requiring the penitentiary or state institution to defray the expenses thereof," by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 833, entitled:

An Act to further amend the title and the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 414), entitled, as amended, "An act providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals; conferring powers and imposing duties upon the Pennsylvania Motor Police, district attorneys, police officers, wardens or keepers of jails, prisons, workhouses, or other penal institutions, and sheriffs; providing for the payment of certain expenses by the counties; and imposing penalties," by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 839, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years, beginning the first day of June, one thousand nine hundred forty-three, evidenced by tax anticipation notes, secured by any payable from current revenues levied, assessed, collectible and accruing during such two fiscal years; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on the payment of such loans, and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 844, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing that, under war time conditions, the Department of Property and Supplies may make certain purchases, and may authorize any department, board or commission, to make certain purchases without advertising, competitive bidding, or contract; authorizing departments, boards, and commissions to make certain direct purchases of various publications; further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings, and over the plans and specifications therefor; and relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 889, entitled:

An Act to amend section eight of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by changing the name State Highway Patrolmen to Pennsylvania State Police.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 914, entitled:

An Act to further amend the title and certain sections of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 450), entitled as amended, "An act relating to fires and fire prevention; imposing duties and conferring powers upon the Pennsylvania Motor Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania Motor Police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the Pennsylvania Motor Police, and the enforcement of its orders; and prescribing penalties," by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 112, entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States; providing for proof of such membership; making false statements in connection therewith perjury; and suspending inconsistent laws during the effective period of the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 262, entitled:

An Act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 590, entitled:

An Act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds, making the provisions of the act retroactive and repealing existing laws.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 836, entitled:

An Act to amend the title and sections four, six, seven and eight of the act approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 6) entitled "An act relating to national and State defense, providing for the establishment of a State Council of Defense and . . local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor," by conferring certain powers and duties upon the State Council of Defense, local and district councils of defense; eliminating certain provisions no longer in effect; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 86, entitled:

An Act authorizing certain organizations with permission of the court of quarter sessions to conduct bingo games and award prizes to the winners; fixing fees and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Speaker thanks the gentleman from Lancaster, Mr. Trout.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 634, entitled:

An Act to further amend sections seven hundred three, seven hundred four and nine hundred and three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing annual registration fees and the gross weight of certain commercial motor vehicles and truck tractors.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. LLOYD H. WOOD. Mr. Speaker, I move that this bill be placed on the postponed calendar.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 650, entitled:

An Act to further amend section three hundred forty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing counties of the third class to enter into contracts up to five hundred dollars without advertising for bids.

The first section was read.

On the question.

Will the House agree to the section?

Messrs. LEISEY and LLOYD H. WOOD offered amendments.

AMENDMENTS WITHDRAWN

Mr. LLOYD H. WOOD. Mr. Speaker, the amendments I have offered are covered by the amendments offered by the gentleman from Chester, Mr. Leisey, and I therefore withdraw my amendments to this bill.

The amendments offered by Mr. LEISEY were read as follows:

Amend Sec. 1 (Sec. 348), page 2, line 13, by striking out the word "class" where it appears the second time in said line, and inserting in lieu thereof: "fourth and fifth classes."

Amend Sec. 1 (Sec. 348), page 3, line 2, by inserting after the word "non-compliance" the following: "Provided, That during the continuation of the present wars in which the United States is engaged, and for a period of six months after the cessation of all hostilities, the contracts which must be made with the lowest and best bidder after advertisement in counties of the third, fourth and fifth classes shall be those involving an expenditure of over five hundred dollars ($500). But thereafter the limitation of three hundred dollars ($300) shall apply as heretofore."

They were agreed to.
The section was agreed to as amended.
The title was read.
On the question,
Will the House agree to the title?

Mr. LEISEY offered the following amendment:

Amend title, page 1, line 7 of the title, by striking out the word "class" and inserting in lieu thereof: "fourth and fifth classes during the war period."

It was agreed to.
The title was agreed to as amended.
And said bill having been read at length the second time and agreed to as amended.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 47, entitled:

An Act to amend section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by abolishing the liability of grandchildren and grandparents of indigent persons to care for maintain or financially assist such persons

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 260, entitled:

An Act fixing the salary of the district attorney in counties of the eighth class

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 288, entitled:

An Act to amend the act approved the eighth day of May one thousand eight hundred seventy-six (P. L. 136) entitled "A supplement to an act approved the thirteenth of May Anno Domini one thousand eight hundred and seventy-four fixing the pay of road commissioners road and bridge viewers and reviewers and commissioners to run township lines and to divide boroughs into wards and township lines and surveyors in this commonwealth" by changing the compensation of chain carriers at surveys of road views township divisions and township lines and the method of fixing the same

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 316, entitled:

An Act to add section six hundred ninety-nine and seven-tenths to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it unlawful to capture take or have in ones possession lobsters under a certain size

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 396, entitled:

An Act to amend section eleven of the act approved the sixteenth day of May one thousand nine hundred nineteen (P. L. 193) entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms and for the regulation supervision of public dances and balls in cities of the first second and third classes" by authorizing the continuance of a dance until a later hour than two o'clock ante meridian

The first section was read.

On the question,

Will the House agree to the section?

Mr. FINNERTY offered the following amendments:

Amend Sec. 1 (Sec. 11), page 2, line 7, by striking out all of said line

Amend Sec. 1 (Sec. 11), page 2, lines 10 and, 11 by striking out the following: "[two o'clock ante meridian] such time as to him may seem proper" and inserting in lieu thereof: "two o'clock ante meridian: Provided, further, That while the United States is engaged in the present war, and for six months thereafter, upon the application of a bona fide organization, society, or a group of persons engaged in essential war work, and upon an investigation by the proper authority, the mayor may grant such organization, society, or group a permit to continue a dance until such time as to him may seem proper.

They were agreed to.

The Section was agreed to as amended.

On the question,

Will the House agree to the bill as amended?

Mr. FINNERTY offered the following amendment, a new section:

Amend Bill, page 2, by adding after line 11 the following: "Section 2. The provisions of this act shall become effective immediately upon final enactment.

It was agreed to.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 509, entitled:

An Act to amend section three hundred and six of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for fixing the number and compensation of employes of institution districts and conferring powers and imposing duties on county officers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 569, entitled:

An Act to amend section eleven of the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 84) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commsision in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" providing for preference under pre-existing law in favor of war veterans

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 571, entitled:

An Act empowering cities of the third class boroughs incorporated towns and townships to co-operate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 593, entitled:

An Act to further amend sections one two and three of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointments of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" by defining the word "purchaser" making the transportation of solid fuel unlawful in certain cases and further regulating the forms used by weighmasters and the disposition thereof

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 595, entitled:

An Act to amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing becoming a nonresident of the State as a cause for forfeiture of rights under the police pension fund

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 610, entitled:

An Act to amend section four of the act of one thousand seven hundred five (1 Smith's Laws 25) entitled "An act to restrain people from labour on the first day of the week" by authorizing the service or execution on Sunday of certain warrants and other instruments in cases of misdemeanors involving gambling

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 635, entitled:

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" extending the retirement provisions relating to former teachers to additional cases who separated from school service prior to the first day of July one thousand nine hundred and nineteen

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 655, entitled:

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by changing the procedure relating to the registration of State and Federal employes

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 659, entitled:

An Act to amend clause (g) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 660, entitled:

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 661, entitled:

An Act to amend clause (g) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 662, entitled:

An Act to amend clause (k) of section three hundred two and sections nine hundred fourteen and nine hundred seventy-seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the time for the certification of returns to the Secretary of the Commonwealth the time for the withdrawal of candidates for nomination or election at any primary and the time for filing objections to nomination petitions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 685, entitled:

An Act to further amend clause nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time within which former employes of the Commonwealth may re-enter the retirement association and secure the status of an original member thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 709, entitled:

An Act authorizing the secretary of the board of health in the various cities of the third class throughout the Commonwealth during the continuation of the present war and for six months thereafter to search and issue certified copies of birth and death records maintained by such cities after the State-wide system for registering vital statistics was established requiring that such birth and death records be made availalbe to the secretary of the board of health for the purposes of this act and authorizing the respective city councils to prescribe fees for such services

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 731, entitled:

An Act to further amend subsection (c) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" fixing the mileage of judges of election for transmitting returns of primaries and elections and ballot boxes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 747, entitled:

An Act to further amend clause (f) and to amend clause (g) of section twenty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 770, entitled:

An Act to further amend section four of the act approved the first day of May one thousand nine hundred and thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" by adding clause (d) providing for future rehabilitation programs in public schools

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 792, entitled:

An Act to further amend section one thousand four hundred and one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State dpository and every debtor or creditor of the Commonwealth" by clarifying lien of interest

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 808, entitled:

An Act to provide for certain powers related to the war emergency to the Department of Public Assistance and county boards of assistance providing for assistance to individuals in distress because of enemy action or the danger thereof providing for the expenditure of State funds therefor and for the acceptance of reimbursement from the United States Government of funds so expended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 812, entitled:

An Act to further amend sections four hundred four four hundred eight and four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring power and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages no for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and other providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by providing for appeals to the Superior Court from the refusal of the board to issue renew or transfer licenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 813, entitled:

An Act to amend sections three hundred ten and three hundred eleven of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law reating thereto" by providing for monthly returns and payment by issuing agents and requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 847, entitled:

An Act to amend the title and section four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" by extending the limitation of the initiation of such projects from December thirty-first one thousand nine hundred forty-three until December thirty-first one thousand nine hundred forty-five

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection, Senate Bill No. 213, Printer's No. 73, was passed over at the request of Mr. WALTER E. ROSE.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 143, entitled:

An Act validating certain expenditures heretofore made by county commissioners in order to furnish filing cabinets or other office equipment to rationing boards

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

FORMER MEMBERS WELCOMED

The SPEAKER. The Chair welcomes two former Members of the House from Delaware County, Mr. Thomas Weidemann and Mr. Thomas A. Curran. The Chair would request both gentlemen to rise in their places.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 592, entitled:

An Act to further amend section six hundred twenty-one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permitting certain minors under eighteen years of age to operate certain commercial motor vehicles as paid operators

On the question,

Shall the bill pass finally?

Mr. LEONARD. Mr. Speaker, House Bill 592 takes me back to my childhood when I worked in the coal mines at the age of eleven for thirty cents a day. Is it the intention of this Assembly to go back to those days after the efforts that have been put forth by all the humanitarian associations and organizations, church people, labor organizations, fraternal organizations, to protect the children and to keep the children in school until such time as they have an adequate education, an education that will give them the opportunity to realize their responsibilities as citizens of our country? At this late time do we want to send these children back to any place we may desire, especially those who do not like to pay high wages? Not only from a humanitarian standpoint but some of us fellows of this House here are gray haired and are pretty old and we do not get around so good when we are crossing the streets. At the last session I was just about run over down in front of the Penn-Harris Hotel by a young boy sitting in back of the wheel. I get around pretty good but I am sure that we all want to be in as much safety as possible. So I just take you back to Harrisburg and what is going on in Harrisburg now.

The newspapers of Harrisburg during the early part of March provided a grim preview of the dangers that will follow the reduction of the age limit for motor vehicle operators.

I would like the members to listen to this. You might get hit in the pants.

On March 5, 1943, Charles E. Bair, age 17, while operating the truck of Shenk and Tittle sporting goods store of Harrisburg, collided with an automobile causing his own death and injury to a school teacher who was the driver of the passenger automobile, as well as injuring several other innocent pedestrians who were walking near by. A companion of the driver, who was also a young man aged 18, was seriously injured.

On March 13 another youthful driver, age 17, operating a milk truck for the East End Dairy in Harrisburg caused the death of a 16-year old lad when he drove the truck over the curb and into a vacant lot in the up-town Harrisburg residential section.

A study of the daily newspapers reveals that this condition is being repeated throughout the state and that there is a marked increase of serious and fatal accidents resulting from the operation of truck equipment by youthful drivers.

I have here in my hand a copy of a Harrisburg paper that you could check up yourselves on the two accidents concerning which I have read to you. If anybody is interested in this bill and wants to make sure that he is not injured, the general population, he should go to a police station and get the percentage of automobile accidents caused by the younger generation, to be compared with the accidents that occurred through the older generation, who realize more fully their responsibilities.

I am sure we do not want to enact any kind of legislation that is going to cause the telephone to ring in the house some day and say, "Come down here and pick your wife up, or pick your daughter up or pick your young son up." I believe the statistics show that some forty thousand people were killed last year by automobiles. Safety agencies are trying to tear that down, and it is the responsibility of all of us to help that agency. Here is the Pennsylvania Legislature in session about to enact a law which will tear down everything they have done.

Mr. SALUS. Mr. Speaker, I am not concerned about any child labor proposition on this bill, but this is very dangerous legislation. You would not think for a moment of putting a locomotive engine in the hands of a boy sixteen or seventeen years old, or a girl, and I think it would be very, very bad legislation to pass this bill, and for the safety of the general public I feel this bill should be defeated.

Mr. ERB. Mr. Speaker, some months ago I was asked by my people back home to present this bill, inasmuch as the government has taken away our boys of the age eighteen and younger into the services, and this bill has been presented in behalf of the small grocery trucks, business trucks, flour and feed, and small delivery trucks. They asked me to introduce this bill so that in the period we are passing through a small truck could be driven by a boy of the age of sixteen years. The state permits boys of sixteen years old to have a license to drive a pleasure car, and if they are certified to drive a pleasure car then I don't see why they are not fit to drive a small delivery truck. It is a wartime measure.

The Governor in his remarks to the General Assembly said we must lower the age and raise the age to help win this war. As far as being patriotic is concerned, I want to tell the gentleman from Allegheny that I am as patriotic as any man here. I wouldn't have a child drive a truck all the time but as far as I can see this bill is in place and has its right today. I thank you.

Mr. BENTLEY. Mr. Speaker, I listened very carefully to the remarks of the gentleman, the sponsor of the bill, and as I interpret them what he said was that this is solely an emergency measure. However, upon examining the bill I find that it is not limited to the duration, but it will go on and on after the war is over. For that reason I think his reasons are not proper reasons, and as the bill has been introduced I think it should be defeated.

Mr. ERB. Mr. Speaker, if the gentleman wishes to make an amendment to the bill for the duration, which I am heartily in favor of, it is o. k. with me. I thank you.

Mr. CORDIER. Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. Erb, the sponsor of this bill.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. ERB. I shall, Mr. Speaker.

Mr. CORDIER. Mr. Speaker, I ask the sponsor to refer to the bill on page 3, section 621. I desire to have him clarify the amendment as it reads, which is very, very confusing. The amendment states "It shall be unlawful for any person under the age of sixteen to operate a motor vehicle upon a highway as a paid employe or, for any persons under the age of eighteen years but under the age of sixteen years to operate any motor vehicle other than a commercial vehicle of the R and S class upon any highway".

Mr. ERB. Mr. Speaker, if it is agreeable to the gentleman and to the Members of the House, I ask that this bill be passed over for amendment tomorrow.

The SPEAKER. The Chair would suggest that a motion be made to postpone.

On the question,
Shall the bill pass finally?

BILL POSTPONED

Mr. ERB. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 535, entitled as follows:

An Act to amend Section 1 2 3 5 7 and 9 to further amend Section 4 6 8 and 10 of and to add Sections 2.1 2.2 and 7.1 to the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms used herein further regulating the sale of commodities authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. JAMES. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 510, as follows:

An Act to amend sections seven hundred thirty-one and seven hundred thirty-three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" authorizing the courts to issue writs of execution and attachment against the property money and wages of defendants in separation and non-support cases and the attachment of wages in desertion and non-support cases

The General Assembly of the Commonwealth of Pennsylfania hereby enacts as follows

Section 1 Sections seven hundred thirty-one and seven hundred thirty-three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" are hereby amended to read as follows

Section 731 Wilful Separation or Nonsupport Whoever being a husband or father separates himself from his wife or from his children or from wife and children without reasonable cause or wilfully neglects to maintain his wife or children such wife or children being destitute or being dependent wholly or in part on their earnings for adequate support is guilty of a misdemeanor and on conviction thereof shall be sentenced to imprisonment not exceeding one (1) year or to pay a fine not exceeding five hundred dollars ($500) or both Such fine if any may be paid or applied in whole or in part to the wife or children as the court may direct

No such conviction payment or fine or undergoing imprisonment shall in any manner affect the obligation of any order for support therefore made against the defendant in any competent court

In any such case the court may suspend sentence upon and during compliance by the defendant with any order for support as already made or as thereafter modified If no such order shall have been made then the court trying the defendant may make such order for the support by the defendant of his wife and children or either of them which order shall be subject to modification by the court on cause shown and may suspend sentence upon and during the compliance by defendant with such order upon entry of bond by defendant with surety approved by the court conditioned on compliance with such order

The court may also issue the appropriate writ of execution against any property real or personal belonging to the defendant and its writ of attachment execution against any money or property to which he may be in any way entitled including wages whether present or to be earned in the future or whether under what is known as a spendthrift trust or otherwise which shall not exceed fifty per centum thereof and shall remain a continuing levy until the order has been paid in full with costs The person against whom an order is made shall not be entitled to the benefits of any exemption law now in force or hereafter passed

The provisions of this section shall apply to any trust whether it is known as a spendthrift trust or otherwise whether such trust was created or came into existence before or after the passage of this act Where an attachment execution is issued the further proceedings thereon shall be in the manner provided in the case of foreign attachments

In any proceedings under this section the wife or any person having the care custody or control of minor children shall be a competent witness

As used in this section the word "children" shall be limited to mean children under sixteen (16) years of age and also such children over sixteen (16) and under twenty-one (21) years of age as by reason of infirmity are incapable of supporting themselves "Separation" or "nonsupport" shall include every case where a husband has caused his wife to leave him by conduct on his part which woud be ground for divorce or a father has neglected to provide for maintenance support and care of his wife or children or wife and children

Section 733 Desertion and Nonsupport If any husband or father being within the limits of this Commonwealth separates himself from his wife or from his children or from wife and children without reasonable cause or neglects to maintain his wife or children any magistrate upon information made before him under oath or affirmation by his wife or children or either of them or by any person may issue his warrant for the arrest of the person against whom the information shall have been made and bind him over with one sufficient surety to appear at the court of quarter sessions or other court having jurisdiction there to answer the said charge of desertion

The said court after hearing in a summary proceeding may order the person against whom complaint has been made being of sufficient ability to pay such sum as said court shall think reasonable and proper for the comfortable support and maintenance of the said wife or children or both and to commit such person to prison there to remain until he shall comply with such order or give security by one or more sureties to the Commonwealth and in such sum as the court shall direct for the compliance therewith The court may also issue the appropriate writ of execution against any property real or personal belonging to the defendant and its writ of attachment execution against any money or property to which he may be in any way entitled including wages whether present or to be earned in the future or whether under what is known as a spendthrift trust or otherwise which shall not exceed fifty per centum thereof and shall remain a continuing levy until the order has been paid in full with costs The person against whom an order is made shall not be entitled to the benefits of any exemption law now in force or hereafter passed

The provisions of this section shall apply to any trust whether it is known as a spendthrift trust or otherwise whether such trust was created or came into existence before or after the passage of this act Where an attachment execution is issued the further proceedings thereon shall be in the manner provided in the case of foreign attachments

Any wife so deserted shall be a competent witness on the part of the Commonwealth and the husband shall also be a competent witness

Should any such person abscond remove or be found in any other county of the Commonwealth than the one in which said warrant issued he may be arrested by the said warrant being backed by any magistrate of the county in which such person may be found

Whenever the court of quarter sessions of any county in the Commonwealth commits the person complained of to the county prison there to remain until he complies with their order or give security etc the court may at any time after three (3) months if it shall be satisfied of the inability of such person to comply with the said order and give such security to discharge him from imprisonment

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions fo the Constitution the yeas and nays were taken and were as follows:

YEAS—49

Barton,
Bentley,
Boorse,
Bower,
Boyd,
Brice,
Brunner, C. H.,
Brunner, P. A.,
Dague,
Elder,
Fox,
Gardner,
Gates,
Gillan,
Gorman,
Gross,
Irvin,
Kline,
Krepps,
Laughner,
Livingstone,
Longo,
Maxwell,
McClester,
Murray,
O'Dare,
Reagan,
Root,
Rowley,
Salus,
Swope,
Tahl,

Calvin,
Campbell,
Cooper,
Costa,
Coulson,
Hall,
Haudenshield,
Huntley,
Imbrie,
Menna,
Miller,
Mintess,
Muir,
Thrasher,
Tiemann,
Weiss,
Wright,

NAYS—118

Alspach,
Auker,
Baker,
Barrett,
Bentzel,
Boies,
Bonawitz,
Boory,
Bradley,
Bretherick,
Brigerman,
Cadwalader,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cordier,
Corrigan,
Croop,
Cullen,
Dalrymple,
Dennison,
Depuy,
Dillon,
Dix,
Ely,
Erb,
Ewing,
Finnerty,
Flack,
Fleming,
Flynn,
Goodwin,
Green,
Greenwood,
Hamilton,
Hannon,
Hare,
Harris,
Heatherington,
Helm,
Hersch,
Hewitt,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kolankiewicz,
Leisey,
Leonard,
Levy,
Lovett,
Lyons,
Mahany,
McAtee,
McKinney,
McMillen,
McSurdy,
Mihm,
Mock,
Modell,
Mooney,
Moran,
Munley,
Nowak,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Robertson,
Rose, S.,
Rose, W. E.,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tate,
Taylor,
Thompson,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 561, as follows:

An Act to amend section two of the act approved the twenty-four day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by increasing the amount for which under certain conditions such companies may issue policies in the event of death from natural or accidental causes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" is hereby amended to read as follows

Section 2 Powers All limited life insurance companies are hereby specifically empowered to issue policies agreeing to pay not more than twenty dollars ($20.00) per week in the event of disablement from sickness nor more than double that amount in the event of disability from accident nor more than five hundred dollars ($500.00) in the event of death from natural or accidental causes notwithstanding any limitation to the contrary established by the act of Assembly pursuant to which such corporation shall have been incorporated or reincorporated or by any other act of Assembly or by the provisions of its charter

Any such company may issue policies agreeing to pay in excess of five hundred dollars ($500.00) but not exceeding one thousand dollars ($1,000.00) in the event of death from natural and accidental causes provided it has

(a) In the case of stock companies a capital of fifty thousand dollars ($50,000.00) and in addition thereto has accumulated a surplus in the sum of at least twelve thousand five hundred dollars ($12,500.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least fifty thousand dollars ($50,000.00)

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHUDOFF. Mr. Speaker, last night when House Bill 561, Printer's No. 157, was on second reading calendar, I called upon the sponsor of the bill for the purpose of interrogation. I was not calling upon Mr. Mintess for the purpose of embarrassing him but for purpose of getting for myself information so that I would be able to vote intelligently upon this bill.

In my legislative district there are possibly twenty thousand colored people, and this bill affects the colored people of my district asfaras their present life insurance is concerned, and their future life insurance. In my campaign for election I promised my constituents that if elected I would always look out for them asfaras their life insurance was concerned. This bill provides that certain life insurance companies in this state that are presently limited to writing policies in the amount of five hundred dollars, by an increase in their capitalizatoin from twenty-five thousand dollars to fifty thousand dollars may write policies in the amount of one thousad dollars.

In studying the records of these nine limited life insurance companies in Pennsylvania, I find that last year in the report of the Insurance Department of the Commonwealth of Pennsylvania one of these companies had a total income of $69,858.12; the total disbursements for the year were $77,687.23 this shows that this company, one of the limited companies, expended last year the sum of $7,872.11 more than they took in. I feel that this is a very important life insurance measure. This is a day of inflation. It is true that the colored people from Pennsylvania who have long suffered on the relief rolls of this State during the depression are now in war industry, they are all making money, and these companies know it and are trying to give them policies in excess of five hundred dollars. Under the law, they are prohibited from doing so until they can get this bill through. By increasing their capital by a mere twenty-five thousand dollars —and no matter how you look at it twenty-five thousand dollars means twenty-five claims they have to pay out—if they should have a conflagration in Philadelphia or any other big city, this increase of capitalization could be wiped out and could even have the effect of putting these companies out of business.

I say to you it doesn't make any difference what your difficulties are, these people must have protection. They are getting along nicely with the five hundred dollars policy at the present time. If we allow these companies to increase their capitalization and take on additional risks, if this war should end, the people could not meet their premiums and there would be one of two things happen. First, it would mean that these people would continue paying the premium and have claims against these companies and find that the compaies could not meet the claims, and the people who have paid their premiums for the duration of the war would simply lapse their policies; they would not be worth anything.

I say to you, Members of the House, this bill is a dangerous bill. Leave well enough alone. Let us keep these companies now approved by the Insurance Department solvent, and able to meet their claims. If we give them this additional privilege it might mean that one of these companies would fail. If one policy holder in Pennsylvania is hurt we should not pass this bill. So, I ask the Members of the House to vote "no" on this bill.

Mr. MINTESS. Mr. Speaker, the Insurance Commissioner of Pennsylvania has approved this bill. I think he knows more about insurance than I do or any other Member of this House.

Mr. Speaker, I ask the Members of the House to vote "aye" on this bill.

Mr. KLINE. Mr. Speaker, this bill is a continuation of our work in 1939 when the same companies came before us and instead of giving them a one thousand dollar limitation at that time, it was tried for a couple of years, and they put it at five hundred dollars. Only four companies will write one thousand dollar policies. Only four of these companies have gone over the two hundred and fifty dollar mark. Those companies which can write the one thousand dollar policies are well equipped to do it. The bill is agreeable to the Insurance Commissioner, and it gives those who are worthy of one thousand policies a chance to them. Today they must go to outside companies. We should allow these Pennsylvania companies to have the right to issue these one thousand dollar policies. I say to you again, Members of the House, there are only about four companies whose capital stock is almost large enough to write these policies. There will be no danger, and it is only giving the colored people who are deserving of getting the one thousand dollar policies a chance to get them from Pennsylvania companies. I ask the Members to vote aye on this bill.

Mr. BROWN. Mr. Speaker, I am somewhat confused on this bill. The bill turns out to be some kind of a bill for colored people. I thought it was an insurance bill.

I would like to hear from some one who can answer the question as to why statements have been made that this bill is to assure the colored people of getting one thousand dollars worth of insurance, and why they cannot get it now.

Mr. KLINE. Mr. Speaker, in answer to the gentleman from Allegheny, Mr. Brown, these limited life insurance companies have made a specialty of taking negro risks, they are equipped to handle them and they have handled them for a great number of years. They know their risks and they know how to handle their business. The large companies, I understand, do not write negro risks, for some reason or other. We cannot force them to do so, but these companies have specialized in handling these negro risks and they are capable of handling them rightly and justly to the colored people.

Mr. BROWN. Mr. Speaker, I am glad to get that information, I did not know it. That is just the reason, we should vote against this bill. I don't believe any class of people ought to be given any particular privilege to get insurance in any particular company. If this is designed so that your large companies can continue their practice of excluding the colored people, then I think that is a reason why this bill ought to be defeated, and I hope the House will vote "no" on the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows

YEAS—120

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Dennison,
Depuy,
Dix,
Elder,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Laughner,
Lee,
Leisey,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McClester,
McKinney,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.
Rowley,
Royer,
Salus,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—64

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Coleman,
Corrigan,
Croop,
Cullen,
Dillon,
Elliott,
Finnerty,
Flynn,
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Longo,
Maxwell,
McAtee,
Mihm,
Modell,
Mooney,
Moran,
O'Connor,
Owens,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Regan,
Reynolds,
Rose, S.,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection Senate Bill No. 174 Printer's No. 69 and House Bill No. 263, Printer's No. 178, were passed over at the request of Mr. FLEMING.

Agreeably to order,

The House proceeded to the third reading and consideraton of House Bill No. 406, as follows:

An Act to further amend section three hundred eleven of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" extending the retirement system of counties of the second class to additional employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred eleven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 365) is hereby further amended to read as follows

Section 311 "County Employe" Defined A county empoye for the purpose of this subdivision of this act is any person employed by the county or by the county institution district or by any county workhouse and inebriate asylum or by any county correctional institution or by the county retirement system at a wage or salary payable at stated intervals that is to say semi-monthly monthly quarterly or annually The term may at the option of the Retirement Board include any person elected by the vote of the people In all cases of doubt the Retirement Board shall determine who is an employe within the meaning of this act

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,

Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,

Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,

Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,

Ely,
Ewing,
Erb,
Figlock,
Finnerty,

Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,

Regan,
Reilly,
Reynolds,
Riley,

Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 551, as follows:

An Act to amend section four of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of license fees for permission to conduct the same" by forbidding the continuation of the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of license fees for permission to conduct the same" is hereby amended to read as follows

Section 4 Any person conducting or being responsible for any sale as set forth in section one hereof without first having obtained the license or any person making or being responsible for any misrepresentation in connection with the goods so offered for sale or sold or continuing the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than one hundred dollars ($100) or to imprisonment for a term of not exceeding thirty days The right to appeal from such conviction shall exist as in other case of summary convictions

On the question,

Will the House agree to the bill on third reading?

Mr. READINGER. Mr. Speaker, I desire to interrogate the sponsor of the bill, the gentleman from Philadelphia, Mr. Murray.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. MURRAY. I shall, Mr. Speaker.

Mr. READINGER. Mr. Speaker, I desire to ask the gentleman whether the act which this bill amends was not held to be unconstitutional by the Supreme Court of Pennsylvania.

Mr. MURRAY. Mr. Speaker, I know nothing about that.

Mr. READINGER. Mr. Speaker, would the gentleman object to having the bill passed over for a short time. I have sent for the information concerning it.

Mr. MURRAY. All right, Mr. Speaker, it is agreeable to me.

BILL PASSED OVER

There being no objection House Bill No. 551, Printer's No. 181, was passed over at the request of Mr. MURRAY.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 629, as follows:

An Act to amend section four hundred thirty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eight classes and revising amending and consolidating the laws relating thereto" by authorizing the making of appropriations to more than one historical society

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred thirty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 437 Payment to Historical Societies The board of commissioners may pay out of the county funds not otherwise appropriated and upon proper vouchers being given a sum not exceeding one thousand dollars annually to the historical society of the county to assist in paying the running expenses thereof If there are more than one such societies in the county such payment may be made [only] to the oldest society or may be divided among societies qualified to receive such appropriations Where any such society is comprised of resident of more than one county the commissioners of said respective counties may jointly pay said sum in such proportion as they shall agree

No such appropriation shall be renewed until vouchers have been filed with the commissioners showing that the appropriation for any prior year has been expended for the purpose herein designated

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley.
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 647, as follows:

An Act to further amend section three of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purcased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" changing the time within which the court may fix a hearing on a petition for approval of such compromise or private sale

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" as amended by the act approved the twenty-ninth day of July one thousand nine hundred and forty-one (P. L. 600) is hereby further amended to read as follows

Section 3 Upon presentation of such petition the court shall fix a day not more than [ten] thirty days thereafter for a hearing thereon At least five days' notice of such hearing shall be given to all the taxing authorities having tax or municipal claims against such real estate and notice shall also be given by publication in at least one newspaper of general circulation published in the county setting forth a description of the property the total amount of taxes municipal claims penalties and interest due and costs and the amount which it is proposed to accept in compromise or redemption or for the sale of said property

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 838, as follows:

An Act to further amend section four of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" by suspending under certain conditions the operation of certain provisions during the present war

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" as amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2091) is hereby further amended to read as follows

Section 4 No county agricultural association hereafter incorporated and no county shall be entitled to the benefits of this act until such association or county shall have held two consecutive annual exhibitions of the character designated in the preceding section nor shall such association or county receive any appropriation for their third and fourth years respectively in excess of the amounut it paid in premiums in the State exclusive of premiums for trials of speed during its second year and such association upon its incorporation shall file with the Auditor General a declaration of its intention to apply for said premium money for its third year Such association must also file its report during its first two years the same as any other association This section shall not apply to a county agricultural association heretofore incorporated owning their own buildings and grounds which shall hold annual exhibitions of the character designated in section three Nor shall this section apply to a county agricultural association heretofore or hereafter incorporated which shall resume the holding of annual exhibitions of the character designated in section three of this act which exhibitions have been for a period of not more than two years temporarily discontinued Provided however That upon the termination of the existing state of war between the United States and any foreign country any incorporated agricultural association otherwise entitled to receive the benefits of this act shall not be disqualified from said benefits by reason of the discontinuance of said exhibitions for two or more consecutive years during the existing state of war between the United States and any foreign country if said agricultural association has on or before December 15th of each year commencing with one thousand nine hundred forty-three filed with the Department of Agriculture of the Commonwealth of Pennsylvania a sworn statement averring the discontinuance of such exhibitions to have been caused by war conditions

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Boyd,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,

Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Herman,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 895, as follows:

An Act to further reenact and amend the title and the act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled as amended "An act relating to the grading and sale of grapes and potatoes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" by extending the provisions to apples and peaches and permitting the grading classifying and packing of grapes potatoes apples and peaches other than those packed or repacked within this State

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and the act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled as amended "An act relating to the grading and sale of grapes and potatoes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" as reenacted and amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-seven (P. L. 1005) is hereby further reenacted and amended to read as follows

An Act relating to the grading and sale of grapes [and] potatotes apples and peaches in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture

Section 1 Be it enacted &c That the term "closed package" wherever used in this act shall mean a basket box bag or other container the contents of which cannot be adequately inspected without opening it The terms "shipment" or "ship for sale" wherever used in this act shall mean movement to market in a railroad car motor truck or other medium of transportation but shall not be construed to include process of delivery to a local warehouse or shipping station

Section 2 The Secretary of Agriculture of the Department of Agriculture of this Commonwealth is hereby authorized and empowered after investigation to establish and promulgate official standards of quality for grading and classifying [and packing] grapes [and] potatoes apples and peaches [packed or repacked within the State] and to change any of them from time to time The official standards so established and promulgated shall be the same in their requirements as the requirements of the official standards for corresponding grades of grapes [or] potatoes apples or peaches as promulgated from time to time by the Secretary of Agriculture of the United States which standards are commonly known as "United States Grades"

From and after the establishment of specific grades or standards of quality as hereinbefore provided grapes [and] potatoes apples and peaches in closed packages shall not be shipped for sale or thereafter sold or exposed for sale except by the grades or standards so established Provided however That grapes [and] potatoes apples and peaches not graded and classified as to quality may be shipped for sale or sold exposed for sale as "unclassified" if so marked in a conspicuous manner in accordance with rules to be adopted by the Secretary of Agriculture of the Department of Agriculture of this Commonwealth as hereinafter provided

Section 3 Grapes [and] potatoes apples and peaches in closed packages if not definitely marked as unclassified as hereinbefore provided shall [prior to shipment] be marked in a plain and conspicuous manner with a statement of (1) the grade (2) the contents in cubic measure or weight (3) the name and address of the person or association under whose authority the grapes [or] potatoes apples or peaches are packed

In case the marking is changed the person making the same shall cancel the name and address included in the original marking and substitute therefor his own name and address

Section 4 (a) No person shall sell expose for sale or transport for sale grapes [or] potatoes apples or peaches in closed packages if the package containing them the label on them or any advertising accompaning them shall bear any statement design or device regarding the grapes [or] potatoes apples or peaches which shall be false or misleading in any particular

(b) No person shall sell expose for sale or transport for sale in closed packages grapes [or] potatoes apples or peaches packed in such manner that the face or shown surface shall not be an average of the contents of the package

(c) When grapes [or] potatoes apples or peaches in closed packages are delivered to a common carrier for shipment such delivery shall be presumptive evidence that the grapes [or] potatoes apples or peaches are intended for sale

Section 5 Any person who violates any of the provisions of this act shall upon summary conviction thereof for the first offense be sentenced to pay a fine of not less than twenty-five dollars nor more than fifty dollars and the costs of prosecution and for subsequent offenses be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and the costs of prosecutoin or in default of such fine and costs be imprisoned in the county jail for not less than ten days nor more than thirty-days All penalties costs and fines collected under this act shall be paid to the Secretary of Agriculture of the Department of Agriculture of this Commonwealth or his agent and by him shall be paid into the State Treasury for the use of the Commonwealth

Section 6 The enforcement of this act shall be vested in the State Department of Agriculture and its officers employes and agents are authorized to enter upon the premises of any person within this State for the purpose of purchasing packages of grapes [or] potatoes apples or peaches and securing evidence of violation of this act and the Secretary of Agriculture of this Commonwealth is hereby authorized to make such rules and regulations as may be necessary for enforcing its provisions

Section 7 This act as amended shall take effect June first one thousand nine hundred and [thirty-seven] forty-three

Section 8 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 135, as follows:

An Act to amend section seven hundred sixteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred sixteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 716 Buying and Selling Game Except as otherwise provided by this act it is unlawful for any person at any time to buy sell or barter or offer for sale or barter or have in [possesison] possession for sale or barter any game or parts thereof no matter where such game has been killed excepting deer or rabbits killed in another state or nation or the skins of raccoons and bears no matter where killed and other game legally killed and imported from another state or nation when tagged as herein required

Except as otherwise provided by this act it is unlawful for any person at any time to sell or barter or offer for sale or barter for human consumption any species of game or parts thereof protected by this act or similar thereto imported either dead or alive from another state or nation except deer or rabbits unless the carton containing such birds or animals or the individual carcasses shall have attached a tag identifying the birds or animals in plain English and giving the state or nation from which originally shipped Before any such game may be offered for sale there shall first have been attached to each bird or animal by a representative of the commission a metal seal the cost of which is hereby fixed at five cents which seal shall remain attached until the carcass is prepared or finally cut up for consumption

Nothing in this section shall be construed to prevent the purchase or sale of game raised under authority of a propagating permit in this Commonwealth and properly tagged or the purchase or sale of live raccoons legally possessed for release [or propagating purposes] within the Commonwealth or the purchase or sale or introduction into this State at any time of live birds or animals for propagation liberation or for any other purpose that has been inspected and legally passed in accordance with the conditions hereinafter stipulated or to prevent at any time the sale within the State or the shipment out of the State without a license of any kind of any animal raised in captivity and not found in a wild state in this Commonwealth or the purchase or sale of the tanned cured or mounted heads or skins or parts thereof of any game not killed in a wild state in this Commonwealth [or the sale by persons holding a valid hunting license at any time during the open season for deer in any year and for a period of sixty days thereafter of the hides of deer legally killed by them in this Commonwealth and in the case of persons holding valid permits to possess the flesh of lawfully killed big game animals such sales may be made during a further period equal to the time covered by such permit or the purchase by fur dealers or their authorized employes operating from their established place of business and holding valid permits as such issued under the provisions of this act of deer hides that are legally sold] or the sale or purchase of deer hides or any part thereof from animals lawfully killed if such hides are disposed of by the original owner within ninety days after the close of the previous open season but this provision shall not be construed to permit any individual or agency other than the Commission to sell the skins of deer killed as a protection to crops

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 250, as follows:

An Act to amend paragraph (a) of section one of the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 160) entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission defining in part the powers and duties of such commission abolishing The Public Service Commission of the Commonwealth of Pennsylvania terminating the terms of the members thereof and transferring to the Pennsylvania Public Utility Commission the records employes property and equipment of The Public Service Commission of the Commonwealth of Pennsylvania authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings legal or otherwise instituted before by or against The Public Service Commission of the Commonwealth of Pennsylvania providing that all certificates of public convenience contracts orders and rules and regulations of the latter commission shall remain effective until repealed changed or modified by the Pennsylvania Public Utility Commission and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania" by providing that members of the Pennsylvania Public Utility Commission upon the expiration of their terms may not hold over until their respective successors are duly appointed and qualified

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph (a) of section one of the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 160) entitled "An act creating a commission to be known as the Pennsylvania Public Utility Commission defining in part the powers and duties of such commission abolishing The Public Service Commission of the Commonwealth of Pennsylvania terminating the terms of the members thereof and transferring to the Pennsylvania Public Utility Commission the records employes property and equipment of The Public Service Commission of the Commonwealth of Pennsylvania authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings legal or otherwise instituted before by or against The Public Service Commission of the Commonwealth of Pennsylvania providing that all certificates of public convenience contracts orders and rules and regulations of the latter commission shall remain effective until repealed changed or modified by the Pennsylvania Public Utility Commission and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania" is hereby amended to read as follows

Section 1 (a) A commission to be known as the Pennsylvania Public Utility Commission is hereby created The commission shall consist of five members who shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate The commissioners first appointed under this act shall continue in office for terms of two four six eight and ten years respectively from the effective date of this act [and until their respective successors shall be duly appointed and shall be qualified] but their successors shall each be appointed for a term of ten years No commissioner upon the expiration of his term as aforesaid shall continue to hold office until his successor shall be duly appointed or shall be qualified Each commissioner at the time of his appointment and qualification shall be a resident of the Commonwealth of Pennsylvania and shall have been a qualified elector therein for a period of at least one year next preceding his appointment and shall also be not less than thirty years of age

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BENTLEY. Mr. Speaker, in as much as the gentleman from Cambria, Mr. Rose, yesterday evidenced some interest and considerable knowledge of Senate Bill 250, the bill affecting the Public Utility Commissioners, I ask leave to interrogate the gentleman in connection with this bill.

The SPEAKER. Will the gentleman from Cambria permit himself to be interrogated?

Mr. WALTER E. ROSE. I shall, Mr. Speaker.

Mr. BENTLEY. Mr. Speaker, I would ask the gentleman whether in his opinion under this bill members of the Public Utility Commission of Pennsylvania are public officers within the meaning of Article III, Section 13 of the Constitution of Pennsylvania.

Mr. WALTER E. ROSE. Mr. Speaker, I do not have a copy of the Constitution in front of me. I will inquire in return of the gentleman if that is the section controlling or governing gubernatorial powers?

Mr. BENTLEY. No. I shall read the section to the gentleman. Article III, Section 13 of the Constitution of Pennsylvania provides as follows:

> No law shall extend the time of any public officer or increase or diminish his salary or emoluments after his election or appointment.

Mr. WALTER E. ROSE. No, Mr. Speaker, I do not believe a member of the Public Utility Commission is a public officer within the meaning of that provision.

Mr. BENTLEY. Mr. Speaker, I would next ask the gentleman whether in his opinion under Senate Bill 250, the terms of the act will apply prospectively to future members of the Pennsylvania Public Utility Commission, or do they affect the present incumbents of the Public Utility Commission?

Mr. WALTER E. ROSE. Mr. Speaker, the proposed amendment applies only to the original members of the Commission. The term until their successors are appointed and qualified does not apply in my opinion to anyone but original members.

Mr. BENTLEY. Mr. Speaker, I would ask the gentleman if in his opinion Senate Bill 250 abolishes the office of a member or members of the Commission or effects a reorganization of the Public Utility Commission.

Mr. WALTER E. ROSE. No, Mr. Speaker.

Mr. BENTLEY. Mr. Speaker, I would further ask the gentleman if in his opinion it is the purpose of Article III, Section 13, of the Constitution of Pennsylvania, which I have just read and which I will repeat, "No law shall extend the term of any public officer or increase or diminish his salary or emoluments after his election or appointment"—if it is the purpose of that section of the Constitution to eliminate political or partisan questions as to such officers after such appointment or election?

Mr. WALTER E. ROSE. Mr. Speaker, the answer to that in my opinion is, yes.

Mr. BENTLEY. Mr. Speaker, I might tell the gentleman from Cambria that is the opinion of the Supreme Court. By this short interrogation I believe we have laid the foundation for a view by the House of a very important matter in connection with the constitutionality of Senate Bill 250, the Public Utility Commission bill now before the House. The gentleman has answered a number of questions, all of which have been prepared after examination of the decisions of the Supreme Court of Pennsylvania. As the House will recall, the gentleman said at first that in his opinion members of the Public Utility Commission were not public officers within the meaning of Article III, Section 13 of the Constitution, the basic law of the Commonwealth which provides that no officer shall have his term of office increased or his salary or emoluments diminished after his appointment or election.

I am quite positive in pointing out to the House that the gentleman's answer was not in accordance with the law in that respect. "Public officers" is a well defined term in the law. The Supreme Court has passed upon the question many, many times as to what constitutes public officers. They have held that a Clerk of the Orphans Court is a public officer within the meaning of Article III. That is the case in Selzer vs. Fertig. They have held in the case of Commonwealth vs. Clarke that members of the Civil Service Commission, a city Civil Service Commission, if the Speaker please, are public officers. They have repeated time and time again on far inferior officers than a member of the Public Utility Commission of Pennsylvania, that such officers are public officers within the constitutional meaning of the words. I think I can safely say to the House that the answer to the first question must be that members of the Public Utility Commission, perhaps the most important administrative body in this Commonwealth, dealing with untold wealth, with untold sums of money involved in rates and other utility matters, are certainly public officers within the Constitution of Pennsylvania.

I will repeat then, Mr. Speaker, for the benefit of the House once again, Article III, Section 13 of the Constitution, because it is a most important section. It provides: "No law passed by this Legislature shall extend the term of any public officer or increase or diminish his salary or emoluments after his election or appointment."

Now, what is the situation in the present case? In 1937 when the present Utility Commission was appointed, a number of appointments were made under the terms of the act, a number of members were created. They were to serve for various terms, five of them—one of them was given a two-year term, one of them was given a four-year term, another a six-year term, another an eight-year term, and another a ten-year period. The present incumbent whose term expires on April 1 was appointed for the period of six years. He was appointed under the provisions of the act by the Governor by and with the consent of two-thirds of the Senate. He thereupon became a public officer, and that cannot be questioned, the esteemed gentleman from Cambria to the contrary notwithstanding. He was appointed for a term of office of six years, and under the act then in force, for six years and until a successor is appointed and duly qualified.

Another part of that clause is the important section now before the House for its consideration. There are no Pennsylvania cases defining what constitutes "term of office" for a member of a commission or anybody appointed for a period of years and until a successor is appointed and qualified. The precise situation, however, Mr. Speaker, has arisen in the state of Missouri. The Supreme Court of Missouri has passed upon it, and with the indulgence of the House I propose to quote to the House some part of the decision in the Missouri case. It arose in the matter of State ex rel Stevenson versus Smith, reported in Volume 87 of the Missouri reports, page 158. In that case, Mr. Speaker, an Assessor of Taxes, certainly a far less important position, one in which it might be questioned whether he was a public officer of the standard or type of a member of the Public Utility Commission in this state—in that case, an official was appointed for a period of years and until his successor was qualified and appointed. The state constitution of Missouri has a clause strikingly similar to Article III, Section 13 of our Constitution. It provides that the compensation or fees of no state, county or municipal officer shall be increased or decreased during his term of office. He was dismissed at the end of his fixed term, and he brought an action for the fees due him for the period between the end of his fixed term and the end of his complete term, which was until such time as his successor was qualified and appointed.

Mr. Speaker, that situation squarely presents the matter now before us, and in addition listen to what the Supreme Court of Missouri had to say in that situation. I am quoting from the language of Mr. Justice Black:

> When an officer, especially a public officer thus holds his office for a defined period and until his successor is appointed and qualified, a failure to appoint a successor at the end of the defined period does not work a vacancy. The incumbent holds until a successor is elected or appointed and qualified, and it is then and not until then that his term expires. For his acts during his time he thus holds over without any new appointment, he and his sureties are liable under his official bond, given at the date of his qualification. It is true that the law by which the relator was appointed fixed the term of his office at four years and contemplates that at the expiration of his term a new appointment will be made, but the same law also contemplates that the appointing power may not be properly exercised, and to prevent a vacancy the incumbent is made to hold over until such appointment is made. The term lasts for the period of the specified term and for the time which he held over.

That establishes beyond a doubt that the term of office of the present incumbents of the Public Utility Commission is the fixed term which they are given and in addition the remainder of that term, the period between that time and until such time as his successor is appointed and qualified.

Now, what is the effect then of Article III, Section 13 upon a public officer, who finds that his term of office is to be cut short by legislative action—and that is precisely what Senate Bill 250 is doing today. Our Supreme Court has ruled on that very matter. They have held in several instances that this Legislature has no power to so violate the Constitution, the fundamental basic law of this Commonwealth, and it is upon that ground that I point out to this House that Senate Bill 250 is unconstitutional.

In the case of Commonwealth ex rel Kelly vs. Clark reported at 327 Pa., page 181, Mr. Justice Drew wrote the opinion of the court. In that case a Civil Service Commission for the City of Philadelphia had been abolished by an act of the Legislature. New appointees were placed in the offices, and the question of the right to that office was tested by a writ of quo warranto. Mr. Justice Drew, after discussing the case at some length and deciding that the appointees had no right to that office under another section of the Constitution, Article III, Section 4, decided that they had no right to that office under Article III, Section 13, the section which I have read to the House. This is his language and it is decisive in the matter. Mr. Justice Drew said: "These acts," and he was referring to acts of the Legislature, "are also violative of Article III, Section 13, and here again the abolition of an office is not prohibited," and let me say at this time that that ties in with one of the questions that I asked the gentleman from Cambria, Mr. Rose. I asked him if Senate Bill 250 abolished or effected a complete reorganization of the Public Utility Commission, and you will recall his answer was "No, it did not," and in that I agree with him. The bill on its face shows that it does not attempt to abolish any office or effect any reorganization of the Public Utility Commission.

Continuing from the report: "Here again, if the abolition of the office is not prohibited, clearly forbidden, however, is the diminution of an incument's salary or emoluments during the time that the office continues. This Constitutional provision applies as well to statutory offices as to constitutional offices."

I think, Mr. Speaker, that Mr. Rose and I are in entire agreement that the Pubic Utility Commissioners are statutory officers. Citing Commonwealth vs. Moffatt 232 Pa., and Commonwealth vs Moore 266 Pa.

Continuing from the learned Chief Justice's opinion: "Since the effect of the act" and he is referring to an act of the Legislature, "would be to deprive the former commissioners of all compensation for the balance of the terms for which they were appointed, without abolishing the office, the constitutional restraint is a complete bar."

That, Mr. Speaker, is a complete answer to the question of whether or not Senate Bill 250 is constitutional. It must be obvious to any Member of this House that a public officers' term is being cut short, that his term of office is diminished, the office is not abolished. There would have been a way to do it under Article III, Section 13, but that was not done. His term of office was diminished, and by so diminishing it the salary and emoluments of the incumbent were also diminished, and that is in direct violation of the constitution.

I might also quote, Mr. Speaker, from another case decided by our Supreme Court, and that is the case of Suerman vs Hadley, reported in 327 Pa. p. 190. In that case an act of this Legislature abolished the office of a Real Estate Assessor in the city of Philadelphia. Again the validity of the act was questioned, there were several of them, on constitutional grounds, and the matter came before the Supreme Court. The opinion in this case was written by the then Mr. Chief Justice Kephart. This is what he had to say as to the methods by which incumbents in office may be removed before their term of office is up, and thus diminishing the salary and emoluments. Mr. Chief Justice Kephart said:

> "The cases relating to the removal of appointed officers other than as provided by Article VI, section 4," and by so excluding Article VI, Section 4, he could have meant only in reference to Article III, Section 13, "Those cases fall under several general heads. First, where the legislature in its act of creation attaches to an office a condition of tenure or the right of removal."

Now what was the condition of tenure which was attached to the office of a member of the Pubic Utility Commission when it was created? That is found in the Public Utility Act, if you please. It was there provided that a member of the Public Utility Commission the Public Utility Code provided that a member should hold office during his good behavior. That is the only condition attached to the office other than the limitation of time, of course. It was provided, Mr. Speaker, that if he were to be dismissed—

Mr. WALTER E. ROSE. Mr. Speaker, will the gentleman yield for just one single question to save some time?

The SPEAKER. Will the gentleman from Allegheny yield for one question?

Mr. BENTLEY. I shall, Mr. Speaker.

Mr. WALTER E. ROSE. Mr. Speaker, the gentleman has referred to the language of Chief Justice Kephart, referring to the removal from office under Section VI, Article 4, which he says could only have meant Article III, Section 13. I just want to call the attention of the gentleman to the fact that Article VI, Section 4 deals only with impeachment. That is not what Mr. Justice Kephart meant. I think it would save time, Mr. Speaker, if the gentleman from Allegheny would bear that in mind.

Mr. BENTLEY. Mr. Speaker, I am sure that the gentleman from Cambria has not saved any time. As a matter of fact Article VI, Section 4, contains some of these provisions. In answer to the gentleman from Cambria, I will read Article VI, Section 4:

> "All officers shall hold their office on the condition that they behave themselves well while in office, and shall be removed upon conviction of misbehavior in office or any infamous crime."

I don't know whether the gentleman stopped there and did not read any further. I assume that referred to impeachment. The section with which the Chief Justice was dealing in his opinion follows immediately after, and I will read it:

> "Appointed officers other than judges of the courts of record and the Superintendent of Public Instruction may be removed at the pleasure of the power by which they shall have been appointed."

Now, Mr. Speaker, that is the section to which the Chief Justice was referring, and which he specifically excepted in the language which I was reading at the time the gentleman, I know with the best of intentions, interrupted me.

I will continue, Mr. Speaker.

> "Cases relating to the removing of appointed officers other than as provided by Article VI, Section 4, fall under several general heads. First, when the Legislature in its act of creation attaches to that office a condition of tenure or the right of removal."

As I pointed out, that is not applicable to the present case. The only condition there was good behavior while in office, and the act, the Public Utility Code setting up the office specifically provided a means whereby a member of the Public Utility Commission could be removed if he did not well behave himself. That section is still in the act. It provides that the Governor may, with the advice and consent of two-thirds of the Senate, bring charges and a public hearing held.

Continuing reading from the opinion of Mr. Chief Justice Kephart,

> "Second, where the Legislature sets up a new, comprehensive system of operation of one of its agencies, or a Department of such agencies, differing materially from the system and abolishing the office existing under the old system."

Mr. Rose and I are in agreement that the Senate bill does not contemplate and does not admit of that.

Mr. Speaker, continuing with the opinion:

> "Where in any such reorganization or change any part of the old legislation is retained in the new, unless changes created by the new system are of such nature and substance in part as to uphold the intent of eliminating existing officers, the old appointees will continue in office in obedience to the Constitutional amendment."

I realize that the members of the House are somewhat restless with a legal debate of this sort, but after all we are here making laws, and if we can not make Constitutional laws we should make none at all. I think it has been demonstrated that the present bill under the decision of the Supreme Court, under the Constitution of the state, is a direct violation of our basic, fundamental law, and for that reason, Mr. Speaker, I ask the members of the House to remember their oath to obey the Constitution, given on the first day here, and vote down a piece of legislation which is so clearly unconstitutional.

Mr. WALTER E. ROSE. Mr. Speaker, in reply to the remarks of the gentlman, I would like first of all to ask him one question.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BENTLEY. I shall, Mr. Speaker.

Mr. WALTER E. ROSE. Mr. Speaker, can the gentleman from Allegheny give me a citation of even one case where it has been held that a Public Utility Commissioner is a public officer.

Mr. BENTLEY. Mr. Speaker, I said during the course of my remarks that it has been held on many occasions that a far lesser officer than a Public Utility Commissioner was held to be a public officer. I think I can put my hands almost immediately on a great number of cases in which it has been held that, as I say, far lesser officials than Public Utility Commissioners are public officers, and I think that perhaps one of my colleagues who has the books before him can pick them out, and I shall be glad to state them for the information of the House. In direct answer to the gentleman's question, I don't believe there are any decisions by the Supreme Court in which it has been directly held that members of the Public Utility Commission are public officers but, as I say, from the implication of previous decisions, I do not believe it can be questioned, that they most certainly are.

Mr. WALTER E. ROSE. I thank the gentleman.

I think, Mr. Speaker, the gentleman has the correct answer, that there is no opinion holding that a member of the Public Utility Commission is a public officer within the meaning of the Constitutional provision which he has quoted. The gentleman has gone further in his answer and indicated the theory on which he is basing his contention, namely that lesser officers than the Public Utility Commissioners have been held to be public officers. With that statement I hold no question at all. Certainly they have, but the degree of the importance of the office is not the test to determine whether an official is a public officer within the meaning of the Constitution. The test question which the Supreme Court has applied in the several instances is that the nature of the office must determine, and they have held in the case of Commonwealth vs. Benn, 234 Pa., page 421, that the appointment to the Public Utility Commission is not a constitutional appointment. They have held directly that it is a legislative function, and therefore a legislative office. They have held it is not administrative, they have held it is not judicial but that it is peculiarly legislative, and is completely within the province of the legislature. They have stated that the appointive power of the legislature must be followed. They have said in these cases, and I also cite the case of Commonwealth vs. Stewart, 286 Pa., page 511. They have held that the spirit of the legislation in the removal must be obeyed, and they have declared that this is an exception to the rule against delegation of legislative authority. Therefore, under the decisions, I think, Mr. Speaker, that these Public Service Commissioners have the same status as any other legislative body which we might make, and usually we make them from our own ranks. That is the answer to the gentleman completely, I think, Mr. Speaker. He has based his entire argument on the fact that he is a constitutional officer, and the Supreme Court has expressly held that he is not. Therefore, I may point out to the gentleman that we could not only do away with the Governor's appointive power, we could do away with the Senate's approval and consent provision, we could in fact, if we cared to, provide that this delegation of legislative function be handled by a majority of both the House and Senate or by a majority of either the House or Senate, and we have merely for convenience designated one method. Since we have that power we can exercise that appointive power any way we see fit. I say the argument of the gentleman does not apply and the bill is most certainly not unconstitutional and I, therefore, ask the Members of the House to support this bill.

Mr. BROWN. Mr. Speaker, I do not intend to go over the points involved in the discussion, as I see the House is restless. Maybe when we get to questions that involve constitutional law we get restless.

I would like to say to my good friend, Mr. Rose, that we do not have to guess as to whether the Public Utility Commissioners are public officers. We simply need to read the case of Commonwealth vs. Moffatt, reported in 238 Pa., 255, which says: "Public officers within this section,"—and that is the section of the Constitution—"is one chosen for a definite tenure as provided by law, whose duties are for the benefit of the public for a stipulated consideration."

Now, if Public Utility Commissioners do not have duties for the benefit of the public what kind of officers are they? There seems to me to be enough law to convince us all that they are public officers.

I believe that the gentleman from Allegheny, Mr. Bentley, was showing to us, and I think he did it very clearly, that once a public officer is created, whether he be created by legislative power or by constitutional power, unless the body that creates that power retains within itself the provision to take that power away, the term of office of this officer then is clothed with the Constitutional protection of Article III, Section 13, and other than the abolishment of the office or the removal of the office he cannot have his term decreased by having his salary or emoluments diminished.

I think that is the whole test in this case, and may I say to the gentleman that the Benn case does not decide this case, because the Benn case simply says this, that where the Commonwealth, the Legislature, gave to the Governor the agency of appointing and retained for itself the power of confirmation, it could use that power and not the Governor.

In other words, I think the interpretation of the Benn case by the Chief Justice of our Supreme Court is perhaps a better interpretation than any of us can make. The Chief Justice in the case cited by Mr. Bentley says this:

> "The Benn case held, as the General Assembly was the appointive power of the Public Service Commission, it could delegate a share of this power to another office, reserving the removal power to itself."

This is not a removal power as would be contemplated under Article VI, Section 4 of the Constitution. This is a diminution of term in office, which is wholly separate and apart from the question of removal. Therefore, I say that this is a serious question; it is a question that we should not treat lightly, because Article III,, Section 13 was placed in our Constitution for a very definite purpose, and we are faced today with that purpose, and the question is shall we treat it lightly or shall we consider it further.

I said it was not my intention to go over the argument of the gentleman from Allegheny, Mr. Bentley. I think the House is indebted to him, even if the bill passes, for his very fine research into this very complicated and delicate constitutional field. I simply arose so that I might try to enlighten my very good friend, because I know he takes it in the spirit in which I give it, that we are dealing with a question which is of special concern to all the people of the Commonwealth. For that reason, we should not come to the point in our thinking, and we should not utilize our constitutional power in order to see that one position taken by either party that concerns one individual is either sustained or rejected. We should use our constitutional power only when we are satisfied that it is for the best interests of all the people of the Commonwealth.

Mr. WALTER E. ROSE. Mr. Speaker, in reply to the gentleman from Allegheny, Mr. Brown, I would reply first that a general statement of such a case is not to control and be the last source of information, when the Supreme Court has in a definite case dealing with Public Utility Commissioners declared that it is the exception to the rule. He and I may have different opinions on that question. I recognize his right to vote in the negative, and of course expect in return the recognition of my right to vote in the affirmative.

In the closing sentence of his remarks he hit on the actual test for us to decide here today, and that is whether or not we are acting for the best interests of the people. Mr. Speaker, I say that I am convinced in this bill we are acting for the best interests of the people, and for that reason I am supporting the bill. If there were any large doubts in my mind as to the constitutionality of this question, I would be the first to vote "no", but I am clearly satisfied that it is constitutional and that we are acting in the best interests of the people, and therefore I expect to vote in the affirmative.

I say lastly that if the Supreme Court does not go along with me; they can attach no stigma to my efforts because I have acted in good faith and I am now acting in good faith in supporting this bill. I, therefore, ask the support of the membership for the bill.

Mr. LOVETT. Mr. Speaker, let us get down to the meat of this situation. Let us call a spade a spade. I have listened very attentively to the discussion on the constitutionality of this particular bill, and I know a lot of you men over on the other side and a lot of men on this side just don't know very much about the constitutionality of these things. For that reason I would like to interrogate the Majority Whip.

The SPEAKER. Will the gentleman from Cambria, Mr. Rose, permit himself to be interrogated?

Mr. WALTER E. ROSE. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I would like to ask the gentleman if he remembers in the Governor's address to the House of Representatives a statement to the effect that there would be no politics and no "must" legislation during this session?

Mr. WALTER E. ROSE. No politics and no what?

Mr. LOVETT. No "must" legislation.

Mr. WALTER E. ROSE. Yes, I recall that, Mr. Speaker.

Mr. LOVETT. That is all.

Mr. Speaker, I am pleading in the interest possibly of the Governor of the state of Pennsylvania when I get up to make this speech opposing this bill. I feel when the Governor made that statement in his speech to the House of Representatives that he was sincere. I took him as being sincere in his statement. I feel that if you men in this House pass this piece of legislation you are going to place on the Governor's desk a piece of legislation concerning which I can now read his veto message to you, if he really and truly meant what he said when he addressed the House of Representatives.

His veto message would probably read: "I am sorry, gentlemen, but I must veto this bill due to the fact that I in my address to the Members of the House said that I did not want any politics during this session of the Legislature. Therefore, this piece of legislation is purely and simply political, and I, therefore, veto this bill."

I know that you gentlemen over there do not want to put your Governor on the spot. Let us be fair and frank in this thing—this bill is purely political. I say to you that if you pick up the appointments you will find in most all cases the man who is appointed serves until his successor is appointed.

In this particular case you are setting that aside, and for no other reason than that you want to give the Governor the right to appoint after this session has adjourned someone to take this man's position for the duration between the sessions of the Legislature. We just went through four years of where Mr. Adams served without appointment all during the administration of Mr. James. I don't think you men want to have the same situation thrown back in your faces, and I am a little afraid that the Governor may forget his speech in the opening session and maybe go so far as to appoint the man whose name he recalled from the Committee. So, gentlemen, in all fairness I ask you to defeat this bill and protect the interests of the people and protect the interests of democracy.

Mr. SKALE. Mr. Speaker, it is still early—it is only five minutes to four, and I think we can still go on until midnight.

Last night I was amused during the interrogation when the Majority Whip, the gentleman from Cambria, Mr. Rose, in referring to some of the questions and arguments stated that he had heard the same arguments over in the Senate and referred to the fact that when you reread a book it loses its interest. May I say to you, gentlemen, and to that gentleman also, that quite frequently when a book is reread you will find things in it which you didn't find the first time, and it will not only prove interesting but educational and enlightening. May I suggest to the gentleman that he read such books as the Bible, which we all know has been read and reread numerous times and which has always proved interesting, enlightening and educational.

A few moments ago we heard the gentleman from Allegheny, Mr. Brown, pose the question, if a member of the Public Utility Commission is not a public officer what else can he be? Now, if I were voting for the bill, my answer to him would be, he can only be a utility representative on the Public Utility Commission.

Let us be fair about it, and, as Mr. Lovett of Westmoreland said, let us call a spade a spade. This bill in the Senate was introduced by the gentleman from Dauphin, Mr. Taylor, and the record shows, and it is admitted by the Senator from Dauphin that this is an anti-Beamish bill. It is aimed solely and directly at one commissioner whose term of office expires April 1, 1943. It is purely political. Finally we see here on the floor of this House a bill supported by the Republican party which does not have draped around it the American flag, and we can speak openly and frankly and admit that this is purely political.

Why the necessity for this bill? Mr. Beamish's term of office expires April 1st and let me say at this point that I am not taking sides either for or against Mr. Beamish. I do not know him personally, and I do not think in all my experience here that I have ever said two words to the gentleman. I doubt even whether I could recognize him personally if it were not for the fact that he wears a certain type of monocle with a ribbon attached to it. If he didn't have that on I wouldn't know the gentleman, so that nobody could accuse me of taking the side of Mr. Beamish.

I am only talking upon the merits and the necessity for this type of legislation. The Governor submitted to the Senate the name of Dr. Parker. Dr. Parker could not stand up in the eye of public scrutiny. That name was withdrawn. That was done over two weeks ago. The Governor has had ample time and opportunity to present the name of another candidate. He has not done so. Why? The only answer to that question is that the Republican organization has no man honest enough and efficient enough to submit to the eye of public scrutiny, and I say to you gentlemen sitting on the other side of this House, if I were a member of your party, if I sat on the other side of the House, I certainly would not be a party to this type of legislation. I say to you that it is a sad commentary on the political history of the Republican party in Pennsylvania when it cannot submit a proper officer to the Public Utility Commission, any person who can stand up to public scrutiny, any person who is fit and proper to hold such office.

The purpose of this bill obviously is to get around such public scrutiny so that the Governor can appoint a man at the expiration of the term of Mr. Beamish, and after this Legislature goes home, to an office of high importance to the people of Pennsylvania, and without the approval of the Senate and without the aid and benefit of public scrutiny. I say to you, gentlemen, if this bill passes and becomes legislation those who vote for the bill should feel ashamed.

Mr. BRETHERICK. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Skale.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SKALE. I shall, Mr. Speaker.

Mr. BRETHERICK. How did the gentleman from Philadelphia, vote on the Earle ripper bill in 1937?

Mr. SKALE. With the majority, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the years and nays were taken and were as follows:

YEAS—126

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cock,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—76

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Flynn,
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Regan,
Reynolds,
Reese, R. E.,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Shaw,
Skale,
Snider,
Sorg,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 503, as follows:

An Act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau prescribing the powers and duties of such bureau requiring the registration with such bureau by landowners of certain information relative to the location ownership and transfer of title of real property located in such county imposing certain additional duties upon the county surveyor the sheriff and the recorder of deeds in such county and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of procuring accurate information in reference to the ownership of real estate the board of county commissioners of any county of the third class may provide by resolution for a Registry Survey Bureau which shall be operated as a separate bureau under the supervision of the county surveyor in quarters to be made available by the county commissioners and which shall provide for the registry of all real estate in said county in the manner hereinafter prescribed

The county commissioners are hereby authorized to appropriate such sums as may be necessary for the establishment and maintenance of such bureau and to employ such engineers surveyors draughtsmen clerks or other assistants as may be necessary to enable such bureau to perform efficiently and properly the functions prescribed by this act

Section 2 The Registry Survey Bureau of any county of the third class established as aforesaid shall cause to be made all necessary books maps and plans as will show the situation and dimensions of each property therein in which books maps or plans shall be so prepared as to show the house number if any the name of the owner or owners thereof with blank spaces for the owner of each lot with provision for the names of future owners and dates of future transfer of title The bureau shall provide for and maintain a separate record for the area covered by each city borough incorporated town or township in the county For the above purposes the employes of the bureau shall have free access without charge to any of the public records wherein the necessary information may be obtainable therefor The bureau may also cause search to be made in any other place for any muniments or evidence of title not reported to it as hereinafter provided and requisite for the completion of such books maps or plans

Section 3 The said books maps and plans shall be carefully preserved in the office of the bureau and shall be so kept by additions from time to time or otherwise as to show the ownership of every lot or piece of real estate or subdivision thereof within the county limits with the succeeding transmissions of title from the date of the commencement of such plans but nothing therein or in this act shall invalidate any county or municipal or tax claim by reason of the fact that the same is not assessed or levied against the registered owner

Section 4 Certified copies under the seal of the bureau of any of the entries in said books or upon said maps or plans shall be received in evidence in the same manner as the books maps and plans themselves might be admissible for such purposes and may be also furnished to any person desiring the same for such fee or compensation for the use of the county as may be fixed by resolution

Section 5 All owners of unregistered real estate within the county limits within one month from the date of the approval of the resolution establishing a Registry Survey Bureau and every subsequent purchaser and every devisee or person acquiring title by partition or otherwise to any real estate therein within one month after acquiring such title shall furnish to the said bureau at its office descriptions of their respective properties upon blanks furnished by the bureau and at the same time present their conveyance to be stamped by said bureau as evidence of the registration thereof The board of county commissioners may provide by resolution for the collection of a fee not in excess of seventy-five cents (75c) for each registration

Any person or persons neglecting or refusing to comply with the provisions of this section for a period of thirty days after public notice of the requirements thereof shall be liable to a penalty of ten dollars ($10) to be recovered with costs of suit in the name and for the use of the county as penalties for the violation of county resolutions are recoverable

Section 6 The sheriff of any county in which such bureau is established shall present for registry the deeds of all properties within the county limits sold by him at judicial sales whether by execution or in partition or otherwise and the recorder of deeds of such county shall not admit for record any deed of any property in such county bearing date subsequent to the approval of the resolution estabiishing such bureau unless the same shall first have been duly stamped as herein provided

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Bentley,
Bentzel,
Boies,
Bonawitz,
Alspach,
Auker,
Baker,
Barrett,
Barton,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix.
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Fleming,
Flack,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Livingstone,
Lichtenwalter,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 92, entitled:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" changing and revising sections of said act relating to obstructing an officer in the execution of process fornication and bastardy lotteries firearms receiving stolen property trespass on posted property cheating by fraudulent pretenses principals in the second degree and accessories aiders and abettors providing penalties for refusal to pay transportation fares and repealing certain sections relating to larceny and certain existing acts

On the question,

Will the House agree to the bill on third reading?

Mr. COHEN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, lines 10, 11 and 12 of title, by striking out the words "providing penalties for refusal to pay transportation fares."

Amend sec. 2, page 10, ines 1 to 17 both inclusive by striking out all of said lines.

Amend sec. 3, page 10, line 18, by striking out the figure "3" and inserting in lieu thereof the figure "2".

Amend sec. 4, page 10, line 20, by striking out the figure "4" and inserting in lieu thereof the figure "3".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 442, as follows:

An Act to further amend section two hundred seventy-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the salaries of certain county detectives in counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred seventy-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended

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by section one of the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 466) is hereby further amended to read as follows

Section 276 Appointment in Counties of the Second Class Duties In counties of the second class the district attorney may appoint one chief county detective an assistant chief county detective four county detectives sergeant special county detectives not exceeding twenty-six in number and ten junior county detectives

Such county detectives shall at all times be subject to the orders of the district attorney and shall investigate and make report to the district attorney as to the conduct in office of magistrates constables deputy constables and other officers connected with the administration of criminal justice to make investigations and endeavor to obtain such evidence as may be required by the district attorney in any criminal case and perform such other duties the district attorney may direct Said detectives shall be general police officers and shall have all powers now conferred on constables by existing laws of this Commonwealth so far as they relate to crime or criminal procedure and in counties of the second class they shall serve subpoenas in cases in which the Commonwealth is a party in a court of record

Said chief county detectives assistant chief county detective county detectives sergeant special county detectives and junior county detectives shall not be entitled to receive any fees whatsoever The chief county detective shall receive a salary of five thousand ($5,000) dollars per annum the assistant chief county detective shall receive a salary of [four thousand ($4,000)] four thousand five hundred ($4,500) dollars per annum the four county detectives sergeant shall receive a salary of [two thousand seven hundred and twenty dollars ($2,720)] three thousand two hundred dollars ($3,200) per annum each the twenty-six special county detectives shall receive a salary of [two thousand six hundred dollars ($2,600)] three thousand dollars ($3,000) per annum each and the ten junior county detectives shall receive a salary of [two thousand one hundred dollars ($2,100)] two thousand five hundred dollars ($2,500) per annum each together with all necessary traveling expenses which shall include reasonable and proper expenses for room and meals while out of the county on public business which said salary and expenses having been verified by affidavit of the chief county detective assistant chief county detective county detective sergeant special county detective or junior county detective incurring the same and approved by the district attorney shall be paid out of the treasury of the county on a certificate issued by the district attorney directed to the controller of the county who shall order warrants for said amount according to law

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 580, as follows:

A Supplement to the act approved the twenty-third day of May one thousand nine hundred eleven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanors and providing penalties for violations thereof" providing for and regulating dismissal of certain employes under civil service in cities of the second class A and authorizing fines and suspensions of them

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 No regularly appointed employe in either the competitive or non-competitive class of the classified civil service of any city of the second class A in this Commonwealth shall be removed discharged or dismissed without his written consent except after a decision to that effect rendered against him by a tribunal of trial or inquiry constituted as hereinafter set forth which decision shall be certified by the tribunal to the civil service commission of the city

The decision of the tribunal shall be made only after an inquiry or trial by it on the charge or charges against the employe previously filed in writing with the civil service commission of the city The charge or charges filed must aver facts in detail constituting one or more of the following on the part of the employe against whom they are made disability for service in which case the tribunal shall be one of inquiry whose decision may be that the employe be honorably dischardged from the service neglect violation of law or duty inefficiency intemperance disobedience or unbecoming official or personal conduct in which cases the tribunal shall be one of trial and its decision may if against the employe impose a fine on him of not more than twenty-five dollars ($25.00) to be deducted from his salary or wages or suspend him without pay for a period not exceeding one (1) year or dismiss him from the service

The head of the department in which the accused employe serves may at his discretion suspend the employe from duty until the trial of the same No trial shall be delayed for more than thirty days after filing of the charge or charges against the employe with the civil service commission The tribunal shall decide if the employe shall receive salary or wages during the period of his suspension

Section 2 The tribunal of inquiry or trial shall consist of three persons in the competitive or non-competitive class or both of the civil service of the city of the accused and shall be selected as follows The city clerk shall in the presence of the accused and his attorney or a fellow employe acting as his counsel cause the names of at least twenty members in said competitive or non-competitive classes or both of the civil service of the city to be written upon separate slips of paper of the same size color and texture and folded or rolled so that the names thereone cannot be distinguished until drawn as hereinafter provided cause said slips to be placed in a box from which the same are to be drawn by lot by some disinterested person until seven names have been drawn therefrom whereupon the head of the department of the city in which the accused is employed and the accused shall each in order be entitled to exercise challenges until only three names are left and the said three persons shall compose said tribunal of trial or inquiry Said persons shall be sworn by the city clerk to perform their duties impartially

The member of the tribunal having the longest period of service under civil service in the city shall have authority to issue subpoenas requiring the attendance of witnesses the giving of testimony and the production of pertinent books and papers before the tribunal Disobedience of any such subpoena shall be contempt of court punishable by the court of common pleas of the county in which the city is situated Such senior member of the tribunal shall administer oaths at any inquiry or trial before said tribunal

The employe accused may be present at the trial or inquiry held by said tribunal and so may his attorney or an employe of either the competitive or non-competitive class who may act as counsel for said employe before said tribunal

Section 3 The decision of the tribunal shall not be effective until approved by the mayor in the case of employes under his jurisdiction the chairman of city council for employes under their jurisdiction and the city controller in the case of employes under his jurisdiction If the decision of the tribunal of trial or inquiry is not approved by the aforesaid a new trial must be held within the thirty day period of suspension referred to in section one of this act In the event a new trial is not held within that time the charges against the accused shall be automatically dropped and he shall be reinstated to his position If the decision is approved the accused shall have the right to appeal from the decision of the tribunal to the civil service commission of the city which shall consider the decision and hear any testimony it desires The accused may appeal from the commission to the court of common pleas of the county

Section 4 On and after the date of passage hereof municipal employes of the cities of the second class A listed in the competitive and non-competitive classes on the roster of the civil service commission and having served their probationary period shall be considered as having the status of civil service employes

Section 5 Nothing herein shall alter the procedure heretofore required for the removal or punishment of policemen and firemen of cities of the second class A

Section 6 Section twenty of the act approved the twenty-third day of May one thousand nine hundred seven (P. L. 206) entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania making violations of its provisions to the misdemeanors and providing penalties for violations thereof" in so far as applicable to cities of the second class A is hereby repealed

All other acts and parts of acts in so far as inconsistent herewith are hereby repealed

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 703, Printer's No. 265, was passed over at the request of Mr. SMITH.

The SPEAKER. If there is no objection the Chair will return to House Bill No. 263, Printer's No. 178, on page 24, of today's calendar, bills on third reading. Is there objection? The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 263, as follows:

An Act to amend section fifteen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" requiring written notice to be given in certain cases to each taxable person whose assessment shall be changed at any triennial assessment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" is hereby amended to read as follows

Section 15 At least thirty (30) days' written notice shall be given to any taxable person whose assessment shall be changed at any triennial assessment or between triennial assessments in a manner which would mean an increase in the taxes on such real estate if the same tax rate should prevail setting forth any change which has been made and the time and place set for hearing objections thereto

Such notice shall be served by the board or any member thereof or by any assessor or by any other person authorized so to do by the board upon said taxable person if he or she can be found in the county or may be mailed to him or her or served upon an adult person residing upon the property in question in case the taxable person cannot be found in the county

When no service is made upon the taxable person or upon an adult person residing upon the property assessed said notice shall be deemed to have been properly served if tacked or conspicuously posted upon the property assessed and a copy thereof mailed to the last known address of the taxable person

No defect in service of any such notice shall be sufficient ground for setting aside any assessment so made but upon proof thereof being made the taxable person shall have the right to a rehearing before the board relative to said assessment and to appeal therefrom to the court of common pleas as hereinafter provided

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

S—202

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook.
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwcod,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger.
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. If there is no objection the Chair will return to House Bill No. 551, Printer's No. 181, on page 25 of today's calendar, bills on third reading. Is there objection? The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 551, as follows:

An Act to amend section four of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of license fees for permission to conduct the same" by forbidding the continuation of the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale

The General Assembly of the Commonweath of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of licenses fees for permission to conduct the same" is hereby amended to read as follows

Section 4 Any person conducting or being responsible for any sale as set forth in section one hereof without first having obtained the license or any person making or being responsible for any misrepresentation in connection with the goods so offered for sale or sold or continuing the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than one hundred dollars ($100) or to imprisonment for a term of not exceeding thirty days The right to appeal from such conviction shall exist as in other cases of summary convictions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Alspach,
Auker,
Baker
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper.
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair wishes to announce for the information of the Republican members that there will be a caucus immediately after today's session.

RESOLUTION

THANKS EXTENDED

Mr. JAMES offered a privileged resolution which was twice read, considered and adopted as follows:

In the House of Representatives, March 30, 1943.

The shades of night had fallen last Tuesday night ere the first of the loyal sons of Saint Patrick found their way into the banquet hall of the Penn-Harris Hotel to take part in the Biennial Dinner of Legislative Irishmen.

The morning mists were languidly rising from the lazy Susquehanna and the milkman had begun his morning deliveries ere the last of them had departed.

It was a great party. Irish and near-Irish and non-Irish were there to celebrate the achievements of the patron Saint of the Emerald Isle and the champion snake charmer of all time.

The spirits of those departed real-Irishmen who founded the Order were hovering ghost-like in the clouds of smoke above the table tops, and they too enjoyed the show.

The descendant of a departed Irish poet who has but lately returned from foreign battlefields stilled the Irish with his stirring tales of real fighting. It was an unexpected part of the program but was timely, and thoroughly enjoyed.

The committee in charge of the arrangements labored long and well and deserve special commendation; therefore be it

Resolved (if the Senate concur), That the Irish Members of the General Assembly and their guests and associates hereby extend to the committee and to the Honorable Harry P. O'Neill its chairman, Honorable Louis H. Farrel, its vice-chairman, and to the treasurer, the Chief Clerk of this House, William E. Habbyshaw, and to Scribe John M. Cummings, the committee's executive director, its full and sincere thanks for, and appreciation of, the splendid entertainment planned and furnished, and to the secretary of the committee, Thomas J. Griffin, the General Assembly extends its special brand of Irish thanks, for it is said by all Irishmen that to him is due most of the credit for the success of the party. It was a night to be remembered when the session is adjourned and we return to the ordinary things of life; and be it further

Resolved, That the names of all those who made up the committee are hereby placed in nomination for reappointment in 1945.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, if I heard correctly the concluding paragraph of the resolution just adopted, it made mention of the fact that all the present members of the House who are Members of the Committee should be reappointed on the Committee in 1945. I was just wondering whether the sponsor of the resolution took up the constitutional question as to the successors in office qualifying or not qualifying, when he wrote the resolution.

Mr. JAMES. I think we did consider the constitutional question, Mr. Speaker. I am still unaware whether the gentleman from Philadelphia, Mr. Cohen, was interrogating me or not and I hesitated to arise and take this microphone without the formality of "Will the gentleman permit himself to be interrogated?"

Mr. COHEN. Mr. Speaker—

Mr. JAMES. Don't bother; don't bother.

Mr. COHEN. Mr. Speaker, I was wondering whether the gentleman was not going to be interrogated?

Mr. JAMES. Mr. Speaker, we did look into the question of the constitutionality of that provision of the resolution before we included it. We found it entirely unconstitutional and following the usual procedure of this House we included it.

REPORTS FROM COMMITTEES

Mr. GREENWOOD, from the Committee on Appropriations, reported as committed, House Bill No. 112, entitled:

An Act authorizing the Armory Board of the State of Pennsylvania to construct and erect in the County of Dauphin, a memorial or monument in memory of the residents of Dauphin County who served in the forces of the United States during World War I, and making an appropriation.

Mr. HAMILTON, from the Committee on Counties, reported as committed, House Bill No. 519, entitled:

An Act to amend the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," further regulating such retirement systems.

Mr. AUKER, from the Committee on Judiciary General, reported as committed, House Bill No. 815, entitled:

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases,' further extending the property and contractual rights of married women.

Mr. O'BRIEN, from the Committee on Education, reported as committed, House Bill No. 929, entitled:

An Act creating a commission to study the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient system of public school, prescribing its powers and duties, and making an appropriation.

Mr. HAMILTON, from the Committee on Counties, reported as committed, House Bill No. 993, entitled:

An Act to amend clause (g) of section two hundred four of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 953), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by providing that the exemption from local taxation afforded to certain public property shall not extend to property otherwise taxable, which is owned or held by an agency of the Government of the United States.

Mr. CORDIER, from the Committee on Appropriations, re-reported as committed, House Bill No. 522, entitled:

An Act relating to post-war planning, creating a Post-War Planning Commission and defining its powers and duties; conferring powers and duties upon State administrative departments, boards and commissions, political subdivisions, and other agencies; and making an appropriation.

Mr. HARE, from the Committee on Education, re-reported as committed, House Bill No. 816, entitled:

An Act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts; authorizing additional appropriations and temporary loans therefor; and requiring the Commonwealth to reimburse school districts for the full amount of such increases.

RESOLUTIO

THANKS EXTENDED

Messrs. KOWALSKI and HELM offered a privileged resolution which was twice read considered and adopted as follows:

In the House of Representatives, March 29, 1943.

Whereas, The Committees on Aeronautics of the Senate and of the House of Representatives, on the invitation of Colonel Lundberg, the Commanding Officer of the United States Army Air Depot at Middletown, were given the opportunity to see and experience at first hand the up-to-the-minute equipment and facilities of that great air supply station, and to gain valuable information on the problems and methods of aviation; therefore be it

Resolved (if the Senate concur), That the General Assembly hereby express its appreciation of cooperation of the Commanding Officer, the officers and personnel of the Middletown Air Depot with this body in dealing with the problems of a most vital field of legislation; and to thank Colonel Lundberg, Captain Kulze and Lieutenant King for their hospitality in entertaining the committees of the two houses, and their helpfulness in acting as guides and commentators on the tour of inspection; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Colonel Lundberg, Captain Kulze and Lieutenant King.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Mr. ERB asked and obtained unanimous consent to call up House Bill No. 592, Printer's No. 264, bill on final passage, which was postponed today.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. Erb,

The House resumed the consideration on final passage of House Bill No. 592, entitled:

An Act to further amend section six hundred twenty-one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animlas upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permitting certain minors under eighteen years of age to operate certain commercial motor vehicles as paid operators

On the question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. ERB. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. WALTER E. ROSE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Blair, Mr. Erb, vote on the third reading of this bill?

Mr. ERB. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Cambria, Mr. Rose, vote on the final passage of this bill?

Mr. WALTER E. ROSE. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ERB. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 2, last line of title, by inserting after the word "operators" the following: "for the duration of the present war and six months thereafter."

Amend sec. 1, (Sec. 621), page 3, line 19, by inserting after the word "but" the following: "not".

Amend sec. 1 (Sec. 621), page 3, line 23, by inserting after the word "unlawful" the following: "for the duration of the present war and six months thereafter."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 32.

An Act authorizing and directing the various officers and agencies of the Commonwealth and any municipality or political subdivision thereof, including counties, cities, towns, townships, boroughs and school districts to cooperate with the United States Government in making deductions of the Victory Tax from the salaries and compensation of the state employes thereof and directing the holding of such moneys and the transmittal thereof to the United States

SENATE BILL No. 119.

An Act to further amend sections three hundred one and three hundred three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by further regulating the computation of the reserve liability of life insurance companies the issuance of life insurance policies and redefining deficiency, reserve requirements.

SENATE BILL No. 250.

An Act to amend paragraph (a) of section one of the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 160) entitled "An act creating a commission to be known as the Pennsylvania Public Utiity Commission defining in part the powers and duties of such commission abolishing The Public Service Commission of the Commonwealth of Pennsylvania terminating the terms of the members thereof and transferring to the Pennsylvania Public Utility Commission the records employes property and equipment of The Public Service Commission of the Commonwealth of Pennsylvania authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings legal or otherwise instituted before by or against The Public Service Commission of the Commonwealth of Pennsylvania providing that all certificates of public convenience contracts orders and rules and regulations of the latter commission shall remain effective until repealed changed or modified by the Pennsylvania Public

Utility Commission and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania" by providing that members of the Pennsylvania Public Utility Commission upon the expiration of their terms may not hold over until their respective successors are duly appointed and qualified

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, I extend to you and to the Members of the House who have donated blood to the Red Cross, an invitation to a meeting immediately after adjournment in the rear of the Hall of the House.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair announces that there will be a session on Thursday of this week.

COMMITTEE MEETINGS

There will be meetings of the Committees on

Cities—Second Class, Wednesday, March 31, at 12 Noon. Room 521.

Dairy Industries, Wednesday, March 31, at 10 a. m. Old House Caucus.

Fisheries, Wednesday, March 31, at 11 a. m. Room 331.

Highways, Wednesday, March 31, at 10 a. m. Room 329.

Liquor Control, Wednesday, March 31, at 11 a. m. Room 325.

Motor Vehicles, Wednesday, March 31, at 11 a. m. Room 329.

Printing, Wednesday, March 31, at 11 a. m. Room 324.

Professional Licensure, Wednesday, March 31, at 11 a. m. Room 521.

Townships, Wednesday, March 31, at 10:30 a. m. Room 522.

Welfare, Wednesday, March 31, at 11 a. m. Room 330.

There will be a Caucus of the Republican Members in the New House Caucus Room immediately after adjournment.

ADJOURNMENT

Mr. SCHUSTER. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 31, 1943, at 1 p. m.

The motion was agreed to, and (at 4:45 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., WEDNESDAY, MARCH 31, 1943. No. 34.

SENATE

WEDNESDAY, March 31, 1943.

The Senate met at 3:00 o'clock, p. m., Eastern War Time.

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D.D., offered the following prayer:

Our Heavenly Father, Thou hast honored us by calling us Thy sons. May we honor Thee by lives consecrated to Thy service. We are debtors to Thee beyond our ability to pay. We have sinned and done evil in Thy sight. Thou hast shown us the way—the only way—that sin can be forgiven and evil overcome and the debt cancelled. Help us as a nation and as individuals to take that way.

Our professions are valueless in Thy sight unless they are backed up by good intentions and honest performance. Give us pure hearts and we shall see God.

We should thank Thee for every opportunity that comes to us to do good. The genuineness of our thanks will be revealed by the way we meet these opportunities.

By being faithful to the best interest of the State the members of this Body will be accepting the opportunities Thou art giving them. We pray that clear thinking and courageous doing may be theirs, to the end that only good come to all, and thus God be glorified.

In the name of Him Who proclaimed Himself the Servant of all. Amen.

JOURNAL APPROVED

The PRESIDENT PRO TEMPORE. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. THOMAS, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. ZIESENHEIM.

He also asked and obtained leave of absence for Mr. EDMONDS.

He also asked and obtained leave of absence for Mr. TYLER.

Mr. Stiefel asked and obtained leave of absence for himself, for April 1, 1943.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVED AND SIGNED SENATE BILL No. 32
PRINTER'S No. 25

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 32, Printer's No. 25, entitled "An Act authorizing and directing the various officers and agencies of the Commonwealth and any municipality or political subdivision thereof including counties cities towns townships boroughs and school districts to cooperate with the United States Government in making deductions of the Victory Tax from the salaries and compensation of the state employes thereof and directing the holding of such moneys and the transmittal thereof to the United States."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 250
PRINTER'S No. 77

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 250, Printer's No. 77, entitled "An Act to amend paragraph (a) of section one of the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 160) entitled 'An act creating a commission to be known as the Pennsylvania Public Utility Commission defining in part the powers and duties of such commission abolishing The Public Service Commission of the Commonwealth of Pennsylvania terminating the terms of the members thereof and transferring to the Pennsylvania Public Utility Commission the records employes property and equipment of The Public Service Commission of the Commonwealth of Pennsylvania authorizing the Pennsylvania Public Utility Commission to appear in and complete all pending proceedings legal or otherwise instituted before by or against The Public Service Commission of the Commonwealth of Pennsylvania providing that all certificates of public convenience contracts orders and rules and regulations of the latter commission shall remain effective until repealed changed or modified by the Pennsylvania Public Utility Commission and transferring and appropriating to the Pennsylvania Public Utility Commission any unexpended balance of any existing appropriation to The Public Service Commission of the Commonwealth of Pennsylvania' by providing that members of the Pennsylvania Public Utility Commission upon the expiration of their terms may not hold over until their respective successors are duly appointed and qualified."

EDWARD MARTIN.

APPROVED AND SIGNED SENATE BILL No. 84 PRINTER'S No. 86

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 84, Printer's No. 86, entitled "An Act to amend paragraph A of section four hundred one of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons, and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions with supervised corporations, associations or persons; authorizing appeals to the Supreme Court, and prescribing and limiting the powers and duties of certain other courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts," by requiring the Department of Banking for a limited period of time to examine all institutions thoroughly at least once every two years instead of each year as provided by law."

EDWARD MARTIN.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ray S. Deily, 112 South Brook Street, Allentown, Lehigh County, for appointment as Alderman in and for the Fourteenth Ward of the City of Allentown, Lehigh County, until the first Monday in January, 1944, vice Charles F. Deily, deceased.

EDWARD MARTIN.

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House, as follows:

House Bill No. 263, entitled:

An Act to amend section fifteen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," requiring written notice to be given in certain cases to each taxable person whose assessment shall be changed at any triennial assessment.

Which was committed to the Committee on County Government.

House Bill No. 406, entitled:

An Act to further amend section three hundred eleven of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law" extending the retirement system of counties of the second class to additional employees.

Which was committed to the Committee on County Government.

House Bill No. 442, entitled:

An Act to further amend section two hundred seventy-six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law" by reducing the number of county detectives in counties of the second class, reclassifying detectives and establishing their salaries.

Which was committed to the Committee on County Government.

House Bill No. 503, entitled:

An Act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau; prescribing the powers and duties of such bureau; requiring the registration with such bureau by landowners of certain information relative to the location, ownership and transfer of title of real property located in such county; imposing certain additional duties upon the county surveyor, the sheriff and the recorder of deeds in such county; and providing penalties.

Which was committed to the Committee on County Government.

House Bill No. 551, entitled:

An Act to amend section four of the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2821), entitled "An act to regulate the sale, and advertising for sale, of goods, wares, and merchandise purporting to be an insurance bankruptcy, mortgage, insolvent, assignees, receivers, trustees, removal, or closing-out sale, or sale of goods damaged by fire, smoke, or water, in cities and certain boroughs of this Commonwealth; and to prevent fraudulent practices in connection therewith, and providing penalties for the violation thereof, and for the imposition of license fees for permission to conduct the same," by forbidding the continuation of the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale.

Which was committed to the Committee on Judiciary Special.

House Bill No. 561, entitled:

An Act to amend section two, of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the power thereof," by increasing the amount for which, under certain conditions, such companies may issue policies in the event of death from natural or accidental causes.

Which was committed to the Committee on Insurance.

House Bill No. 580, entitled:

A Supplement to the act, approved the twenty-third day of May, one thousand nine hundred seven (P. L. 206), entitled "An act to regulate and improve the civil service of the cities of the second class in the Commonwealth of Pennsylvania; making violations of its provisions to be misdemeanors, and providing penalties for violations thereof," providing for and regulating dismissal of certain employes under civil service in cities of the second class A, and authorizing fines and suspensions of them.

Which was committed to the Committee on Municipal Government.

House Bill No. 629, entitled:

An Act to amend section four hundred thirty-seven of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law" by authorizing the making of appropriations to more than one historical society.

Which was committed to the Committee on County Government.

House Bill No. 647, entitled:

An Act to further amend section three of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," changing the time within which the court may fix a hearing on a petition for approval of such compromise or private sale.

Which was committed to the Committee on Judiciary General.

House Bill No. 838, entitled:

An Act to further amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof," by suspending, under certain conditions, the operation of certain provisions during the present war.

Which was committed to the Committee on Agriculture.

House Bill No. 895, entitled:

An Act to further reenact and amend the title and the act, approved the twenty-eighth day of March, one thousand nine hundred and twenty-nine (P. L. 86), entitled as amended, "Grape Law," by extending the provisions to apples and peaches, and permitting the grading, classifying and packing of grapes, potatoes, apples and peaches other than those packed or repacked within this State.

Which was committed to the Committee on Agriculture.

HOUSE MESSAGE

APPRECIATION EXTENDED TO OFFICERS AT MIDDLETOWN AIR DEPOT

He also presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

In the House of Representatives, March 29, 1943.

Whereas, The Committees on Aeronautics of the Senate and of the House of Representatives, on the invitation of Colonel Lundberg, the Commanding Officer of the United States Army Air Depot at Middletown, were given the opportunity to see and experience at first hand the up-to-the-minute equipment and facilities of that great air supply station, and to gain valuable information on the problems and methods of aviation; therefore be it

Resolved (if the Senate concur), That the General Assembly hereby express its appreciation of cooperation of the Commanding Officer, the officers and personnel of the Middletown Air Depot with this body in dealing with the problems of a most vital field of legislation; and to thank Colonel Lundberg, Captain Kulze and Lieutenant King for their hospitality in entertaining the committees of the two houses, and their helpfulness in acting as guides and commentators on the tour of inspection; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Colonel Lundberg, Captain Kulze and Lieutenant King.

W. STUART HELM
BRUNO KOWALSKI

Ordered, That the Clerk inform the House of Representatives accordingly.

EXTENDING APPRECIATION AND THANKS TO COMMITTEE ON THE BIENNIAL DINNER OF LEGISLATIVE IRISHMEN.

He also presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Rules.

In the House of Representatives, March 30, 1943.

The shades of night had fallen last Tuesday night ere the first of the loyal sons of Saint Patrick found their way into the Banquet hall of the Penn Harris Hotel to take part in the Biennial Dinner of Legislative Irishmen.

The morning mists were languidly rising from the lazy Susquehanna and the milkman had begun his morning deliveries ere the last of them had departed.

It was a great party. Irish and near-Irish and non-Irish were there to celebrate the achievements of the patron Saint of the Emerald Isle and the champion snake charmer of all time.

The spirits of those departed real-Irishmen who founded the Order were hovering ghost-like in the clouds of smoke above the table tops, and they too enjoyed the show.

The descendant of a departed Irish poet who has but lately returned from foreign battlefields stilled the Irish with his stirring tales of real fighting. It was an unexpected part of the program but was timely, and thoroughly enjoyed.

The committee in charge of the arrangements labored long and well and deserve special commendation; therefore be it

Resolved (if the Senate concur), That the Irish Members of the General Assembly and their guests and associates hereby extend to the committee and to the Honorable Harry P. O'Neill its chairman, Honorable Louis H. Farrell, its vice-chairman, and to the treasurer, the Chief Clerk of this House, William E. Habbyshaw, and to Scribe John M. Cummings, the committee's executive director, its full and sincere thanks for, and appreciation of, the splendid entertainment planned and furnished, and to the secretary of the committee, Thomas J. Griffin, the General Assembly extends its special brand of Irish thanks, for it is said by all Irishmen that to him is due most of the credit for the success of the party. It was a night to be remembered when the session is adjourned and we return to the ordinary things of life; and be it further

Resolved, That the names of all those who made up the committee are hereby placed in nomination for re-appointment in 1945.

(Signed) BENJAMIN F. JAMES.

FURLOUGH NECESSARY SKILLED FARM WORKERS TO PENNSYLVANIA FARMS

He also presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Agriculture.

In the House of Representatives, March 16, 1943.

Whereas, Food is of major importance to the prosecution of the war on the battle front and the home front; and

Whereas, Food is essential for our Allies and our occupied territories; and

Whereas, The production of food for 1943 is gravely impaired by shortage of manpower, lack of availability of farm machinery repair parts and insufficient apportionment of fuel to the agencies from which the farmers are accustomed to procure it; and

Whereas, New machinery supplies for 1944 will greatly affect the extent to which farmers will use up their machinery this year; and

Whereas, Decreased farm production, combined with necessary shipments to our Allies and to the inhabitants of our occupied territories and with greatly increased consumption by our armored forces, will lead to domestic food shortage approaching serious proportions that may easily affect our war production centers; and

Whereas, Pennsylvania is America's ninth largest agricultural state, being first in the value of its poultry products, and fourth in dairy products, potatoes, apples and peaches; and

Whereas, Pennsylvania's farm manpower shortage is especially aggravated by the extent and State-wide distribution of its war production industries which draw from farm areas in all sections of the State; and

Whereas, Pennsylvania's producing farms which supply the cities and the military forces are all mechanized; and

Whereas, The great majority of these mechanized farms are dependent upon young, highly skilled workers who have grown up with the mechanization of the farms during the past 20 years and a large number of whom are now in military service; and

Whereas, It would require years of training to replace these young men without whom it is absolutely impossible for Pennsylvania's mechanized farms to maintain their previous production, not to speak of increasing that production; therefore be it

Resolved, (if the Senate concurs), That the General Assembly of the Commonwealth of Pennsylvania respectfully requests Governor Edward Martin to appeal to the President of the United States as Commander-in-Chief of the Army and Navy, to furlough immediately to Pennsylvania farms, the necessary critical skilled farm workers to maintain previous production, and if possible increase it; and be it further

Resolved, That the Governor request the President of the United States to use his authority as Commander-in-Chief of the Army and Navy to demand that the necessary farm machinery repair parts shall be made available immediately in necessary quantities to the farmers of the State through their accustomed dealers, and that fuel for farm machinery shall be authorized and made available at once in sufficient quantities to farmers through the agencies from which they are accustomed to procure it, without the use of involved forms; and be it further

Resolved, That the Governor shall be asked to request the President of the United States to use his authority to demand that sufficient steel shall be allocated in proper time to farm machinery manufacturers to produce the necessary machinery to replace that which will be worn out by all-out use of present machinery during 1943.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 528

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 528, entitled:

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Acts, page 13), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one," providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-three.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Charles H. Ealy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 527, entitled:

An Act making a deficiency appropriation to aid certain school districts.

House Bill No. 528, entitled:

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Acts, page 13), entitled "An act to provide for the ordinary expenses of the Executive, legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one," providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-three.

House Bill No. 529, entitled:

A Supplement to the act approved the sixteenth day of June one thousand nine hundred forty-one (Appropriation Acts page thirteen) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending

May thirty-first one thousand nine hundred and forty-one" providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-three.

Whereupon,

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Report in connection with the introduction of a proposed bill to amend the Municipal Authorities Act of 1935, as amended:

In the Senate, March 31, 1943.

Mr. BECKER. Mr. President, on February 16, 1943, there was introduced in the Senate a resolution bearing serial number 23 (Legislative Journal, page 357), by Senator Dent, calling for the appointment of a committee of six (six members of the Senate) to be created for the purpose of interrogation and investigation of the actions of certain municipal authorities created under an Act of 1935 of this General Assembly, and its amendments, to determine whether or not the said actions have been taken in the public interest and for the welfare of rate payers of these communities and citizens of the Commonwealth, and whether this act has been used for personal and private gain to the detriment of public interest, and that this Committee make a report to the General Assembly as to whether this act should be amended or repealed.

This resolution was reported as committed by the Committee on Public Utilities March 9, 1943, and adopted March 10, 1943, and the Senator from Schuylkill, Mr. G. Harold Watkins; the Senator from Lycoming, Mr. John G. Snowden; the Senator from Franklin, Mr. Paul M. Crider, the Senator from Allegheny, Mr. John Fremont Cox; the Senator from Westmoreland, Mr. John H. Dent; and myself, the Senator from Lancaster and Lebanon Counties, were appointed by the President Pro Tempore to function as such Committee, and this Committee subsequently designated me to act as chairman.

The Committee proceeded promptly to perform the duties for which it was appointed and, after preliminary meetings and consideration of the statements made on the floor of the Senate by the Senator sponsoring the resolution, fixed Thursday, March 25, 1943, at 9:30 a.m., as the time for its first meeting and the Senate Caucus Room as the place.

All of the municipal authorities heretofore created in Westmoreland County, Pennsylvania, were requested to appear at this hearing, either in the person of their own officers or by counsel, as well as the county commissioners of Westmoreland County. All of the parties requested to attend the hearing, not otherwise unavoidably detained, voluntarily appeared and made appropriate and detailed statements covering the activities of the authorities which they represented and the municipalities interested in the negotiations with and operations of these authorities.

It was very definitely pointed out to all parties present that the invitation to these parties to be present was by no means to be construed as an antecedent conclusion of any impropriety or irregularity in the operation of the authorities invited but merely for the purpose of obtaining requisite information on the part of the Committee as an initial step in the interrogation and investigation delegated to the Committee to carry out.

Statements of the county commissioners of Westmoreland County, the authorities of Westmoreland County, and others were heard and stenographically reported over the period from 9:30 a.m. to 6:30 p.m., with the exception of the period from 12:30 p.m. to two o'clock p.m., during which time the Committee recessed for an executive session. Since then the Committee has had additional executive sessions, and this statement is intended to be a preliminary report and recommendation of the Committee in accordance with the purpose and intent of the resolution creating it.

Your Committee feels that it is unable to draw any unbiased conclusions and recommendations for the amendment or repeal of the Act of 1935 and its amendments from the statements it has thus far heard. Others interested in municipal authorities in Westmoreland County and in municipal authorities in the State of Pennsylvania generally have requested to be heard and your Committee feels that it would be manifestly unfair to report any final conclusions and recommendations to the Senate creating it without affording all parties having an interest and apprising to the Committee of their right to be heard on the subject, the opportunity of so appearing for such purpose.

Your Committee feels that to conduct this interrogation and investigation with the thoroughness and fairness indicated by the importance of the matters involved an additional period of time is necessary, and this period will extend considerably beyond the contemplated term of the current session of the General Assembly.

Your Committee, however, senses that the primary purpose motivating the adoption of the resolution creating it is so that recommendations could be made to this General Assembly in sufficient time before its adjournment to render needed legislation possible.

To this end your Committee is prepared now to say that the information already obtained is sufficient to warrant certain recommendations which can now be made and carried out in the interest of the rate payers and citizens of the communities in which municipal authorities operate, and therefore makes this, its preliminary or ad interim recommendation, with the suggestion that the same receive prompt and favorable action on the part of the General Assembly now in session, viz:

1. That this Committee be continued for such term and time as may be necessary in order to adequately carry out the full and final purpose for which it was created and to enable it to hear all parties in interest on the subject who may claim the privilege and obtain the permission of the Committee to be heard.

2. That a reasonable appropriation be provided in order that the Committee may carry out the purpose for which it was created, without being prevented from functioning most efficiently for lack of the necessary means of doing so.

3. That an Act of Assembly be introduced and passed by this General Assembly for submission to the Governor of Pennsylvania, temporary in character until this Committee shall have made its final report and recommendations, effective say until the thirtieth day of May, 1945, providing for such amendments to the present Act of 1935 as the Committee is now satisfied should receive consideration, pending such final report and recommendation, viz:

(a) That no authority shall acquire any property during the pendency of these temporary amendments without requisite approval of the Public Utility Commission of the Commonwealth of Pennsylvania; particularly in respect to the valuation and worth of the property to be acquired and the price proposed to be paid; and

(b) That the securities of any authority shall be sold only at public sale to the highest responsible bidder after public notice by advertisement.

In conclusion, your Committee wishes to be thoroughly understood as being unanimously of the opinion that municipal authorities as created by the General Assembly have a very definite place in the life and progress of the communities and municipalities in which they operate. These operations should not be so restricted by Act of Assembly as to render municipal authorities impotent or to restrict them from operating and prospering in the normal manner intended by the Legislature creating these artificial forms of civic administration of utilities. They should be helped and not hindered. One of the way in which this help can be made available to them by legislation is to regulate these municipal authorities in such a way, not burdensome, as to relieve them from the tinge of inference and suspicion from which they have heretofore suffered and to assist them in operating in such a manner as to bring them above these inferences and suspicions and to render their securities of the triple A character and rating to which they are justly entitled if operated and operated and financed in accordance with the spirit and intention of the Act of Assembly under which they were created.

Respectfully submitted,

CLARENCE D. BECKER
JOHN H. DENT
JOHN G. SNOWDEN
G. HAROLD WATKINS
PAUL M. CRIDER
JOHN FREMONT COX

Mr. BECKER. Mr. President, this report is signed by the members of the Committee and submitted.

Pursuant to this report and at the appropriate place in the order of business for today, at the unanimous request of all of the members of the Committee, and co-sponsored by the Senator from Westmoreland, Mr. Dent, and myself, appropriate legislation will be introduced into this Senate.

Mr. LETZLER, from the Committee on Insurance, reported as committed, House Bill No. 388, entitled:

An Act to amend section four hundred and twenty A of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulations and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by giving minors of the age of eighteen years and upwards full power and authority to make contracts of insurance or annuity with any life insurance company authorized to do business in the Commonwealth of Pennsylvania and to exercise all the powers rights and privileges of ownership conferred on them under the terms of any and all such contracts applied for or issued to them regardless of whether such contracts were issued before or after such minors reached the age of eighteen years with the same force and effect as if they were of age.

Mr. McCREESH, from the Committee on Agriculture, reported as committed, House Bill No. 695, entitled:

An Act to repeal the act, approved the twenty-third day of June one thousand eight hundred ninety-seven (P. L. 202), entitled "An act to prevent fraud and deception in the manufacture and sale of cheese, and defining what shall constitute the various grades of cheese, providing rules and regulations for marking and branding the same, providing for the enforcement of this act, prescribing penalties for its violation."

He also, from the Committee on Agriculture, reported as committed, Senate Bill No. 238, entitled:

An Act to amend sections four and six of, and to add section 7.1 to, the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commissions, after popular referendum, and the appointment of their members by the county commissioners; prescribing the powers and duties of such commissions," providing that the Secretary of Agriculture cooperate with, and be a member exofficio of the county mosquito extermination commission; prescribing powers and duties of the Secretary of Agriculture and said commissions; providing that costs of abating nuisances from breeding of mosquito larvae may be assessed against lands where breeding exists; and providing that said act shall not apply to counties of the first class.

He also, from the Committee on Agriculture, reported as committed, Senate Bill No. 239, entitled:

An Act to amend sections one and two of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commissions, after popular referendum, and the appointment of their members by the county commissioners; prescribing the powers and duties of such commissions," by providing for abolition of existing mosquito extermination commissions after popular referendum.

Mr. CARR, from the Committee on Insurance, reported as committed, Senate Bill No. 294, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by specifically exempting from county personal property tax liability, certain shares of stock in foreign insurance companies liable to a tax on their gross premiums under section twenty-four of the act, approved the first day of June, one thousand eight hundred and eighty-nine (P. L. 420), as amended.

PERMISSION TO ADDRESS SENATE

Mr. KEPHART asked and obtained unanimous consent to address the Senate.

Mr. KEPHART. Mr. President, with respect to House Bill No. 312, the bail bond bill I wish to state that at the last meeting of the committee on Judiciary General, the decision was to indefinitely postpone action on it.

PERMISSION TO ADDRESS SENATE

Mr. SHAPIRO asked and obtained unanimous consent to address the Senate.

Mr. SHAPIRO. Mr. President, I want to congratulate the gentleman from Philadelphia, Mr. Kephart, for doing a good job, even though it is only half done. I want to suggest that this bill really comprises two bills, House Bill No. 312 and House Bill No. 313, and I would suggest to the Senator from Philadelphia, Mr. Kephart, that he had better kill the other one before someone revives it.

REPORTS FROM COMMITTEES

Mr. KEPHART, from the Committee on Agriculture, reported as committed, House Bill No. 694, entitled:

An Act to amend sections, one, five, seven, nine and twelve, and to repeal section six of the act, approved the twenty-seventh day of May, one thousand nine hundred and thirty-seven (P. L. 901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties," by changing definitions, the period of the license and the fee therefor, and the contents of records; eliminating the requirement for a bond, and adding to the reasons for refusing licenses.

He also from the Committee on Agriculture, reported as committed, House Bill No. 696, entitled:

An Act to repeal the act, approved the eighteenth day of June, one thousand eight hundred ninety-seven (P. L. 168), entitled "An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standard, to prevent the adulteration of the same, providing for the enforcement thereof, and punishment for the violation of the same."

He also from the Committee on Agriculture, reported as committed, House Bill No. 697, entitled:

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 650), entitled "An act requiring persons, associations, partnerships, and corporations, and their agents, herein defined as dealers and brokers, engaging in the business of buying, receiving, selling, exchanging, negotiating, or soliciting the sale, resale, exchange, or transfer of certain domestic animals, to be licensed by the Department of Agriculture; providing for the revocation of such licenses; imposing certain duties on such dealers and brokers, and their agents; conferring powers on said department; and providing penalties," by changing the definition of "dealer."

Mr. JAMES, from the Committee on Insurance, reported as committed, Senate Bill No. 407, entitled:

An Act to amend section three of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," providing for the waiving of the requirement for the holding of meetings by societies under certain conditions.

Mr. SHAPIRO, from the Committee on Banking, reported as amended, Senate Bill No. 389, entitled:

An Act to amend clause (g) of section three of, and to add section fourteen and one-tenth to, the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns.

Mr. SHAPIRO, from the Committee on Banking, reported as amended, Senate Bill No. 211, entitled:

An Act to further amend section nine hundred eight, subsection A of section one thousand six and subsection A of section one thousand twelve and subsection B of section one thousand and one hundred nine of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "An act relating to the business of banking, and to the exercise of fiduciary powers by corporations; providing for the organization of corporations with fiduciary powers, and of banking corporations, with or without fiduciary powers, including the conversion of National banks into State banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts," further regulating the amount and maintenance of reserve funds b banks and banks and trust companies; and authori certain loans by banks and banks and trust companies which are guaranteed against loss by certain Federal agencies, and investments in second liens in cases and under conditions herein specified and further providing for the powers and limitations upon powers of corporations with fiduciary powers.

RESOLUTION

SENATE BILL No. 36, PRINTER'S No. 84, RECALLED FROM GOVERNOR

Mr. MALLERY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. MALLERY offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania, March 31, 1943.

Resolved (if the House of Representatives concur), That Senate Bill No. 36, Printer's No. 84, entitled "An act to amend section twenty of the act approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births, marriages, deaths and diseases of practitioners of medicine and surgery of midwives, nurses and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages and diseases throughout the State as provided in section ten of an act, entitled "An act creating the Department of Health, and defining its powers and duties," approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act,' as amended; by providing for the payment of fees to local registrars of vital statistics by the Commonwealth."

Be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS INTRODUCED AND REFERRED

Mr. MALLERY read in his place and presented to the Chair Senate Bill No. 464, entitled:

An Act to amend section one thousand three hundred and four of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," further providing for the applications for military ballots by persons in actual military service.

Which was committed to the Committee on Elections.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 465, entitled:

An Act authorizing the Department of Welfare to enter [illegible]to contracts for foodstuffs to supply State and State-aided institutions, and to purchase the same in open market, and to process the same for preservation; providing for transfers from appropriations made to such institutions in payment therefor; authorizing dehydrating plants and equipment at State institutions, and the use of inmate labor thereat; conferring power and imposing duties on the Department of Property and Supplies; and making an appropriation.

Which was committed to the Committee on State Government.

Mr. BOWERS read in his place and presented to the Chair Senate Bill No. 466, entitled:

An Act making an appropriation to the Brownsville General Hospital, Brownsville, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 467, entitled:

An Act making an appropriation to the Uniontown Hospital, Uniontown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. CHAPMAN (by request) read in his place and presented to the Chair Senate Bill No. 468, entitled:

An Act making an appropriation to the Trustees of Beaver College at Jenkintown, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 469, entitled:

An Act abating unpaid taxes, penalties and interest heretofore assessed, levied and imposed by cities of the first class and school districts of the first class, against real property owned by certain institutions of purely public charity; giving such taxing authorities the right to reject the provisions of the act; and imposing duties upon the mayor, controller and solicitor of such cities, the district superintendent of such school districts and the president or chairman of the assessment board responsible for the assessment of such real estate for tax purposes, and the collector or receiver of such taxes.

Which was committed to the Committee on Municipal Government.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on March 31, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Donna H. Ochsenhirt, Pittsburgh, 2000 Grant Bldg.
Miss Marie A. Rodgers, Pitcairn.
G. M. Wilson, Pittsburgh, 2001 First National Bank Bldg.

DELAWARE COUNTY

Miss Catherine I. Smith, Upper Darby Twp., Upper Darby.

LANCASTER COUNTY

Miss Margaret M. Martin, Manheim, Twp., P. O. Box 540, Lancaster.

LAWRENCE COUNTY

Miss Hazel I. Valle, New Castle.

LEHIGH COUNTY

William H. Schneller, Catasauqua.

McKEAN COUNTY

Miss Helen D. Nusbaum, Bradford.

PHILADELPHIA COUNTY

Mrs. Alice W. Faust, Phila., WFIL Broadcastinf Co., Widener Bldg., Broad and Chestnut Sts.
Miss Regina M. Foley, Phila., 5913 N. Leithgow St.
Miss G. M. Garrity, Phila., 218 S. 7th St.
Edward J. Kelly, Phila., 250 N. 11th St.
Miss Margaret M. Sullivan, Phila., 1425 Chestnut St.

UNION COUNTY

Miss G. Irene Baily, Mifflinburg.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

MONTGOMERY COUNTY

Philip B. Knowlton, Lower Merion Twp., 32 N. Bryn Mawr Ave., Bryn Mawr, April 4, 1943.

PHILADELPHIA COUNTY

H. G. Weaver, Phila., 1405 Locust St., April 4, 1943.

ALLEGHENY COUNTY

S. S. Klein, Pittsburgh, 814 Brookline Blvd., April 5, 1943.

PHILADELPHIA COUNTY

John J. Hayes, Phila., 5323 Walnut St., April 9, 1943.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER, that the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Farrell,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

NOMINATIONS BY THE GOVERNOR TAKEN FROM TABLE

Mr. WATKINS. Mr. President, I request that the nominations made by His Excellency, the Governor of the Commonwealth, now on the table, be taken from the table.

The nominations were read as follows:

REPORTER OF THE DECISIONS OF THE SUPREME COURT

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 15, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Laurence H. Eldredge, Green Valley Road, Bryn Mawr, Montgomery County, for appointment as Reporter of the Decisions of the Supreme Court of Pennsylvania, for the term of five years, and until his successor shall have been appointed and qualified.

EDWARD MARTIN.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 29, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Mrs. Ella Ferry, Mount Pleasant Mills, for appointment as Justice of the Peace in and for the Township of Perry, Snyder County, until the first Monday in January, 1944, vice J. A. Shadle, deceased.

G. D. Eldred, R. F. D. No. 2, Corry, for appointment as Justice of the Peace in and for the Township of Spring Creek, Warren County, until the first Monday in January, 1944, to fill a vacancy.

EDWARD MARTIN.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 24, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Wilbert B. Claypool, R. F. D. No. 2, Leechburg, for appointment as Justice of the Peace in and for the Township of Allegheny, Westmoreland County, until the first Monday in January, 1944, vice George J. Hetrick, deceased.

EDWARD MARTIN.

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon nominations by His Excellency, the Governor of the Commonwealth, just taken from the table.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Farrell,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATKINS. Mr. President, I move that the Executive Session do now rise.

Mr. TAYLOR. Mr. President, I second the motion.

The motion was agreed to.

BILLS INTRODUCED AND REFERRED

Mr. WATKINS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Messrs. WATKINS, STEVENSON and COLEMAN read in place and presented to the Chair Senate Bill No. 470, entitled:

An Act authorizing and creating an Anthracite Mine Subsidence Commission within the Department of Mines of the Commonwealth of Pennsylvania; defining its jurisdiction and powers, its duties to undertake studies and prepare such plan or plans as shall be deemed necessary to conserve anthracite; to prevent the loss of life both on the surface and underground; to prevent the destruction of property, both underground and on the surface, as a result of subsidence due to the removal of coal; providing for the common good of the people in the Anthracite Region and the Anthracite Industry; authorizing the commission to enter anthracite mines and the surface above such mines, and to designate locations for bore holes for flushing mines; providing for employes of said commission and their salaries; imposing duties upon the commission and making an appropriation.

Which was committed to the Committee on Mines and Mining.

Mr. COLEMAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Messrs. COLEMAN, STEVENSON and WATKINS read in place and presented to the Chair Senate Bill No. 471, entitled:

An Act limiting the time within which suits or actions, hereafter begun, shall be brought for damages to surface land and property resulting from the mining of coal and operations in connection therewith.

Which was committed to the Committee on Judiciary General.

Mr. HEYBURN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN read in place and presented to the Chair Senate Bill No. 472, entitled:

An Act providing that every mine foreman, assistant mine foreman and fire boss under the bituminous mining laws and the anthracite mining laws of the Commonwealth represent and are officers of the Commonwealth in the mines in which employed; for the suspension of cancellation of the certificates of such officials as shall hold same and for the disqualification of such as are uncertificated by the Secretary of Mines after or prior to hearing for failure or refusal to perform their respective duties; defining the procedure in such hearing and the powers of the Secretary of Mines with respect thereto and providing for a review of his decisions by the Court of Common Pleas of Dauphin County and the Superior Court; providing for reexamination by the examining board of any person whose certificate has been cancelled and for reinstatement of such as are uncertificated; and prohibiting the employment by any operator of any person not possessing the requisite certificate or whose certificate is suspended or who has been disqualified.

Which was committed to the Committee on Mines and Mining.

Mr. BECKER. Mr. President, in accordance with report of the Committee which I previously made this afternoon and at the request of the members of the Committee, and under the co-sponsorship of the Senator from Westmoreland, Mr. Dent, and myself, I read in place and present to the Chair the following bill.

Messrs. BECKER and DENT read in place and presented to the Chair Senate Bill No. 473, entitled:

An Act to amend sections two, four, five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463), entitled "An act providing for a limited period of time, for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities; defining the same; prescribing the rights, powers and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," as amended, by defining the term "Commission", by limiting the power of an Authority to acquire the title to projects subject to the jurisdiction of the Pennsylvania Public Utility Commission by requiring approval of said Commission, and by providing that Authority bonds shall be sold only at public sale after public notice by advertisement.

Which was committed to the Committee on Public Utilities.

BILL FOR CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 133, entitled:

An Act to further amend subsection (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground and to underground passageways gangways airways drifts slopes shafts overcasts and stoppings of mining operation

SENATE NON-CONCURS IN HOUSE AMENDMENTS TO SENATE BILL No. 133

Mr. LETZLER. Mr. President, I move that the Senate non-concur in the amendments made by the House to Senate Bill No. 133.

Mr. HEYBURN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Farrell,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE

RECONSIDERATION OF SENATE BILL No. 301

Mr. STEVENSON. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 301, entitled:

An Act to amend section one hundred four, clause (a) of section two hundred five, clause (a) of section two hundred twelve, section four hundred three, section five hundred five and to add clause (d) to section five hundred two of the act approved the twenty-fifth day of June, one thousand nine hundred and forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," clarifying and correcting the provisions of said sections and providing for the funding of debts represented by judgments entered by courts

passed third reading.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. STEVENSON. Mr. President, I voted "aye."

Mr. BARR. Mr. President, I second the motion.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. BARR. Mr. President, I voted "aye."

The motion was agreed to.

On the question,

Will the Senate agree to the bill on third reading?

Mr. STEVENSON. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend Section 1 (Section 212), page 5, line 5, by striking out before the word "notice" the word "election"

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS ON THIRD READING

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 17, on third reading, entitled:

An Act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board, and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 18, on third reading, entitled:

An Act relating to parole; abolishing the Pennsylvania Board of Parole; reestablishing the jurisdiction, powers and duties of the courts and of the Board of Pardons with respect to parole; and authorizing the employment by the Attorney General of a Supervisor of Paroles and field agents

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 39, entitled:

An Act to amend section seven hundred seventeen of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further regulating the adjustment of liabilities and property where part of a township is annexed to a borough

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred seventeen of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended to read as follows

Section 717 Duties of Auditor The auditor shall ascertain the liabilities of the several boroughs and townships affected the amount and value of the property owned by each the amount and value of the property passing to and from each borough and township and the assessed valuation of all property liable to taxation for borough or township purposes as shown by the last assessment and within the limits of the part annexed to or detached from such borough Where territory of a township is annexed to a borough and indebtedness was incurred by the township for an improvement located wholly or located more than fifty per centum within the part of the township to be annexed the auditor shall ascertain the amount of the indebtedness of the township which represents such improvement He shall make report [the same] to the court with the form of a decree adjusting the liabilities equitably between such boroughs and townships respectively and in such decree in the case of annexation of part of a township to a borough the whole of the indebtedness representing an improvement located wholly within the territory to be annexed and the part of the indebtedness representing an improvement located more than fifty per centum within the annexed territory shall be directed to be paid by the borough and the remainder of the debt and liabilities of the township and property of the township shall be adjusted in proportion that the assessed valuation of the land remaining in the township bears to the assessed valuation of the land to be annexed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 56, entitled:

An Act to amend section ten of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by changing the requirements as to the service of apprentices in beauty shops

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section ten of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended to read as follows

Section 10 Apprentices in Beauty Shops [Any cosmetologist hairdresser or cosmetician who is a beauty shop owner and who is a holder of a teacher's certificate may instruct apprentices and apprentices may serve in any registered beauty shop employing four or more licensed operators in which a licensed owner or licensed manager maintains actual working supervision over the practice of beauty culture therein provided that there shall be no less than four licensed operators for each apprentice in any shop and there shall be no more than two apprentices in any shop and provided that in each instance such shop is not held out as a school of beauty culture Such apprentices may apply for examination at the end of their apprenticeship at the next regular examination held by the department and if successful therein shall be registered as operators Registered apprentices upon completion of their required term of apprenticeship may apply for and receive from the department a temporary permit to practice as an operator until the next regular examination

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,
Ealy
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 71, on third reading, entitled:

A Joint Resolution proposing an amendment to section four, article two of the Constitution of the Commonwealth of Pennsylvania, providing for annual sessions of the General Assembly, salary of members and an annual budget.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 99, on third reading, entitled:

A Joint Resolution proposing an amendment to Section one of article Fourteen, of the Constitution of the Commonwealth of Pennsylvania, by making sheriffs eligible to succeed themselves

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 177, on third reading, entitled:

An Act to amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (one thousand nine hundred thirty-seven, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for the payment of contributions by employers in accordance with an experience rating system; and providing for and regulating such experience rating system and the terms and procedure to effectuate the same.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 232, on third reading, entitled:

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 982) entitled "An act relating to the clerk of the court of oyer and terminer and quarter sessions of the peace and municipal court of any county of this Commonwealth having a population of one million five hundred thousand or over providing for the salaries and compensation of the clerk of the court of oyer and terminer and quarter sessions of the peace and municipal court deputies clerks and employes thereof" by changing titles of various deputies clerks and employes and equalizing salaries thereof.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consileration of Senate Bill No. 296, entitled:

An Act to repeal the act approved the twenty-seventh day of June one thousand nine hundred thirteen (P. L. 652) entitled "An act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the waterpower developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a canal board to have charge of said work prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and State Treasurer authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making an appropriation for carrying out certain provisions of this act" as amended by the act of the seventeenth day of June one thousand nine hundred fifteen (P. L. 990)

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-seventh day of June one thousand nine hundred thirteen (P. L. 652) entitled "An act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purposes and for the utilization of the water-power developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a canal board to have charge of said work prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and State Treasurer authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeaners and providing penalties therefor and making an appropriation for carrying out certain provisions of this act" as amended by the act approved the seventeenth day of June one thousand nine hundred fifteen (P. L. 990) is hereby repealed

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 311, on third reading, entitled:

An Act relating to appointments, reclassifications and promotions under any civil service system of this Commonwealth, since March sixteenth one thousand nine hundred forty-two until a period after the cessation of hostilities; making such appointments of war duration; providing for examinations at the end of such period; abolishing the State Civil Service Commission during such period; providing for the appointment of members at the end thereof; conferring powers and imposing duties on the Superintendent of Public Instruction; suspending inconsistent laws; and prohibiting the establishment of civil service systems by rule or regulation for a limited period

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 440, entitled:

An Act to further amend section seven hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2838) is hereby further amended to read as follows

Section 702 Approval of Amendments by Members Before the application is made to the court a resolution authorizing the proposed amendments shall be adopted by the affirmative vote of at least a majority of the members who are then present in person or by proxy and entitled to vote thereon at a regular or special meeting duly convened after at least ten days' written notice to all the members of this purpose If a proposed amendment would make any change in the rights of the members of any class then the members of such class shall be entitled to vote as a class upon such amendment whether by the terms of the article such class is or is not entitled to vote and in addition to the general vote herein required the affirmative vote of at least a majority of the members of each class so affected by the amendment who are present at such meeting shall be necessary for the adoption thereof Any amendments which might be adopted at a meeting of the members may be adopted without a meeting if written consent to the amendment has been given by all members entitled to vote thereon The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON SECOND READING

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 14, on second reading, entitled:

An Act establishing the Pennsylvania State Technical School of Aeronautics; providing for the taking over of one of the State Teachers' Colleges therefor, and for the appointment of a committee to select the same; imposing duties on the Department of Property and Supplies; creating the Board of Trustees of the Pennsylvania State Technical School of Aeronautics; and prescribing its powers and duties

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 34, entitled:

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing that employes on retirement for superannuation who return to active school service during the present war shall not upon return to retirement receive any smaller allowance than that received prior to return to active school service.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 36, on second reading, entitled:

An Act abating certain tax penalties and interest on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof

go over in its order, temporarily.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 60, on second reading, entitled:

An Act to further amend sections two thousand six hundred twenty and two thousand six hundred twenty-five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the filing of copies of auditors' reports in school districts of the third and fourth classes

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 79, on second reading, entitled:

An Act relating to the investing, reinvesting, acquiring, exchanging, retaining, selling, and managing property by fiduciaries, and repealing acts or parts of acts inconsistent herewith

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 100, entitled:

An Act to reenact and further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by authorizing commissioners to sell lands purchased at treasurers' sales upon which the period of redemption has expired and providing for notice of such sale or sales.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 105, entitled:

An Act to reenact and amend the title of and the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2611) entitled "An act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions" extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 114, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds, and validating consents heretofore given.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 131, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing for the issuing of free resident fishing licenses to persons over sixty-five years of age.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 138, entitled:

An Act to further amend section seven of the act, approved the second day of May, one thousand eight hundred eighty-nine (P. L. 66), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," by providing that any number of items paid into or deposited in the custody or under the control of any court of the United States in and for any district within this Commonwealth or in the custody of any depository, registry, or of any receiver, clerk or other officer of any of said courts may be joined in one petition of escheat.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 146, on second reading, entitled:

An Act to further amend clause one of section three and section twelve of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further extending the time for present employes as defined in the act to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 165, entitled:

An Act to amend section six hundred seven, and to further amend section seven hundred one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the appointment of certified public accountants for the purpose of auditing the accounts of the Auditor General, and requiring the Auditor General to submit all books, records and papers to such accountants.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 185, entitled:

An Act to further amend clause (c) of paragraph nineteen of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing school districts of the third class which are in or coterminous with townships shall hereafter be entitled to receive annual payments from the Superintendent of Public Instruction for certain closed or discontinued schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 193, entitled:

An Act to amend Section six hundred fifty-one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate amend and revise the penal laws of the Commonwealth," permitting persons under the age of eighteen years to be present in bowling alleys.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 207, entitled:

An Act providing for commissioning as police officers, certain employes of institutions maintained in whole or in part by the Commonwealth; conferring upon them the powers of constables in certain cases; and imposing duties on wardens and keepers of jails, police stations and lock-ups.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 230, entitled:

An Act to amend section two of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 228) entitled "A supplement to the act approved the eighteenth day of June one thousand nine hundred and twenty-three (P. L. 840) entitled 'An act concerning declaratory judgments and decrees and to make uniform the law relating thereto' prescribing the practice to be pursued in such proceedings" making further provisions for the service and return of petitions for declaratory judgments.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 240, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting alumni or alumnae associations from the provisions of the act in certain cases.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 241, entitled:

An Act to amend section six hundred twenty-eight of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing for the prescribing, issuing and filing of certain forms by and with the Commissioner of the Pennsylvania Motor Police instead of the Secretary of the Commonwealth.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 267, entitled:

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 281, entitled:

An Act to amend section one of the act approved the eleventh day of May one thousand eight hundred ninety-three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" authorizing certain corporations to make allowances or pensions to officers or employes.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 290, entitled:

An Act to amend sections one and seven of the act approved the twenty-first day of July one thousand nine hundred forty-one (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation" further regulating the payment of witnesses and the taxation thereof as costs of the proceedings.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 297, entitled:

An Act to amend Article II section two hundred two and to repeal Article IV section four hundred thirty-three and Article XVIII section one thousand eight hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined."

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 312, entitled:

An Act to further amend section one thousand four hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for payment for education of blind children out of appropriations made to the Department of Public Instruction for such purposes and conforming said section to existing law.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 313, entitled:

An Act authorizing the Department of Public Instruction to act as agent for the several school districts and vocation school districts in the purchase, without bids, and distribution among such districts of material, supplies and equipment subject to priorities and on which prices have been stabilized, to be used in vocational education of workers on war work; and validating such action heretofore taken.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 314, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws. general, special or local, or any parts thereof, that are or may be inconsistent therewith" by changing the provisions for supervisors of special education in counties employing fewer than five hunlred and fifty teachers.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. WALKER. Mr. President, I move that Senate Bill No. 317, on second reading, entitled:

An Act to further amend section one of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," reducing the number of judges of said court.

be recommitted to the Committee on Judiciary General for the purpose of further study.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 320, on second reading, entitled:

An Act to amend the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, reenactments and repeals of statutes," further providing for the position of the enacting clause, and the construction of provisos; prescribing the effect of amendments on limitations and periods of time; and further defining the phrase "political subdivision."

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 341, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations, and joint-stock associations; providing the manner of collecting such tax and prescribing penalties," by further extending the exemptions from the tax imposed by the said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 346, entitled:

An Act suspending for the duration of the present national emergency, and for six months thereafter, the statutory provisions as to advertising and competitive bidding on contracts of counties, institution districts, cities and boroughs, for the purchase of goods, materials, and merchandise which are rationed or on which a maximum price ceiling has been fixed under regulations of the Federal Government, and providing for the award of contracts in such cases to the lowest and best bidder after due inquiry.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 351, entitled:

An Act to further amend section one thousand two hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, the method of collecting such revenue; and repealing all laws, general, special or local, or any parts theerof, that are or may be inconsistent therewith," by providing for sabbatical leaves of absence for employes of State teachers colleges and the Cheyney Training School for Teachers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on second reading, entitled:

An Act regulating commerical strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, incuding issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 388, on second reading, entitled:

An Act to amend sections three and four of and to add section 6.1 to the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense acitivities," by extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties, cities, boroughs and incorporated towns.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 401, entitled:

An Act to amend section five hundred twenty-five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by making provision for the destruction of certain records in the various administrative departments, boards or commissions, after such records have been first microfilmed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 404, entitled:

An Act to amend section one of the act, approved the twenty-fourth day of April, one thousand nine hundred thirty-one (P. L. 48), entiled "An act requiring the recording of certain written agreements pertaining to real property, and prescribing the effect thereof as to subsequent purchasers, mortgagees, and judgment creditors of the parties thereto," requiring that written agreements pertaining to real property be acknowledged by the sellers or grantors therein.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendment:

Amend Sec. 1, (Sec. 1), page 2, line 14, by inserting after the word "situate" the following: "Provided however that all agreements heretofore acknowledged solely by the sellers or grantors therein are hereby validated."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 404, on second reading, go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 422, entitled:

An Act to further amend section one of the act, approved the sixteenth day of April, one thousand nine hundred seven (P. L. 92), entitled as amended "An act defining the duty of coroners, where death is sudden or violent, or is of a suspicious nature and character, and of police, and health authorities, in this Commonwealth, in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner, but where it appears the cause of death is not surrounded by suspicious circumstances," by providing that investigations of deaths caused by accidents shall be made by the coroner of the county in which the accident causing death occurred.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 475, entitled:

An Act to further amend section twenty-five of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto," by providing that in the case of any spouse on active duty in the armed service of the United States in time of war the affidavit accompaning his or her libel in divorce may be taken within or without the Commonwealth before any officer commissioned in the armed forces of the United States authorized by law to take affidavits and acknowledgments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that, House Bill No. 487, on second reading, entitled:

An Act to amend section three of the act, approved the third day of May, one thousand nine hundred and nine (P. L. 413), entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land, the price to be paid for the same, the conveyance to the State Forestry Reservation Commission, where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers, and providing for acceptance of returns of surveys without limitation as to excess or surplus," by providing for granting of warrants and rights to certain additional lands.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 504, entitled:

> An Act providing that persons in the armed forces and merchant marine of the United States and its allies may renew licenses or certificates to engage in professions and occupations after discharge from military service.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 688, entitled:

> An Act authorizing political subdivisions to refund money erroneously or inadvertently paid by persons and corporations into the treasury thereof for municipal improvements or upon municipal assessments liens whereof have been subsequently declared illegal and invalid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

MOTION TO RECOMMIT BILL

Mr. HEYBURN. Mr. President, I now call up House Bill 36, which went over temporarily, and I move that House Bill No. 36, on second reading, entitled:

> An Act abating certain tax penalties and interests on unpaid county city borough town township school district poor district and county institution district taxes with certain exceptions prohibiting the sale of real property for the nonpayment of any such taxes for a certain period and preserving certain tax liens and providing for the extension thereof.

be recommitted to the Committee on Judiciary General.

Mr. HENRY I. WILSON. I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Heyburn.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. BARR. Mr. President, will the gentleman from Delaware tell me for what reason this bill concerning abatements is being sent back to committee?

Mr. HEYBURN. It is being sent back to committee for further study, Mr. President. I cannot say just what that further study will produce.

Mr. BARR. Mr. President, we are having amendments prepared for this bill. There have been some objections raised by some members of the Senate, where you would cut this down to three instead of five. I do not think we should make an abatement act a party issue. I know that in 1941 we had an abatement act and quite a number of gentlemen in this room were against it and we voted on that measure not as a party measure but each voted as an individual, and I think this abatement act should be treated in the same manner.

Mr. HEYBURN. Mr. President, this strictly is not a party measure and if the gentleman from Allegheny has in mind any amendments I suggest that he present them to the committee which will be in charge of this bill.

Mr. DENT. Mr. President, this a very serious bill and if we do not do something about it this week you are going to find that county treasurers are going to advertise the sale of a lot of properties that might be picked up by persons in a position to take advantage of this act. You are going to add costs on to those who can not pay their taxes, through the extra cost of alvertising for sale properties of people who are delinquent in their taxes. Many delinquent taxpayers are waiting for this piece of legislation to pass. Many county treasurers are waiting for action on this bill.

Mr. McGINNIS. Mr. President, if there was ever a bill on this floor that should not be kicked around, this is one. Most of the counties, thousands of taxpayers and county treasurers want to know this week whether this bill is going to be passed or killed. It is uncertain, what is going to be done with it, when it is kicked around as it has been. If this bill is to be amended, it can be amended on this floor and I think we ought to be fair to our county treasurers and taxpayers and let them know this week definitely whether this bill is going to be passed or killed.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. Mr. President, I ask for a roll call.

Mr. COLEMAN. Mr. President, I second the motion.

(During the calling of the roll the following occurred.)

Mr. WALKER. Mr. President, I ask that the roll be verified.

(During the calling of the roll the following occurred.)

Mr. WALKER. Mr. President, I ask that the roll be verified.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted "aye".

The Clerk read the names of those recorded as having voted "aye" as follows:

Becker,
Chapman,
Crider,
Deitrick,
Ealy,
Farrell,
Heyburn,
James,
Kephart,
Letzler,
Snowden,
Stevenson,
Taylor,
Thomas,
Watkins,
Wilson, H. I.,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified. The Clerk will now verify the negative roll.

The Clerk read the names of those recorded as voting in the negative as follows:

Barr,
Bowers,
Carr,
Coleman,
Cox,
Dent,
DiSilvestro,
Geltz,
Gourley,
Haluska,
Holland,
Jaspan,
Jones,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Stiefel,
Walker,
Woodring,

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The vote on the motion to recommit is:

In favor of the motion: 16.
Opposed to the motion: 20.

The motion to recommit is therefore lost.

The yeas and nays were required by Mr. WALKER and were as follows, viz:

YEAS—16

Becker,
Chapman,
Crider,
Deitrick,
Ealy,
Farrell,
Heyburn,
James,
Kephart,
Letzler,
Snowden,
Stevenson,
Taylor,
Thomas,
Watkins,
Wilson, H. I.,

NAYS—20

Barr,
Bowers,
Carr,
Coleman,
Cox,
Dent,
DiSilvestro,
Geltz,
Gourley,
Haluska,
Holland,
Jaspan,
Jones,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Stiefel,
Walker,
Woodring,

So the question was determined in the negative.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 36, be recommitted to the Committee on Judiciary Special.

Mr. HENRY I. WILSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, when I went to school I used to like to complete my courses. I was in the midst of studying this bill. I am a member of the Committee on Judiciary General but I am not a member of the Committee on Judiciary Special. If this bill is returned to the Committee on Judiciary Special, of which I am not a member, my study will be interrupted and I strongly object.

Mr. WALKER. Roll call, Mr. President.

(During the calling of the roll the following occurred.)

Mr. COX. Mr. President, I ask that the roll be verified.

The PRESIDENT. It has been requested that the roll be verified. The Clerk will read the names of those recorded as voting in the affirmative.

The Clerk announced those recorded as voting in the affirmative as follows:

Becker,
Carr,
Chapman,
Crider,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Mallery,
Snowden,
Stevenson,
Taylor,
Thomas,
Watkins,
Wilson, H. I.,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk will read the names of those recorded as voting in the negative.

The Clerk announced those recorded as voting in the negative as follows:

Barr,
Bowers,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Stiefel,
Walker,
Woodring,

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The question is decided in the affirmative and the bill is recommitted to the Committee on Judiciary Special.

POINT OF ORDER

Mr. HOLLAND. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. HOLLAND. Mr. President, I do not think there are so many votes to be counted that we have to spend so long in announcing the result.

The PRESIDENT. For the information of the gentleman from Allegheny the Clerk is counting the votes.

The yeas and nays were required by Mr. COX and were as follows, viz:

YEAS—20

Becker,
Carr,
Chapman,
Crider,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Mallery,
Snowden,
Stevenson,
Taylor,
Thomas,
Watkins,
Wilson, H. I.,

NAYS—17

Barr,
Bowers,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Stiefel,
Walker,
Woodring,

So the question was determined in the affirmative.

The PRESIDENT. The bill is therefore recommitted to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES

Mr. THOMAS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMAS, from the Committee on County Government, reported as committed, House Bill No. 533, entitled:

An Act to amend the title and Section 1 of, and to add Sections 2.1, 2.2, 2.3, and 2.4 to the act, approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 496), entitled "An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands," providing that in counties of the seventh and eighth classes taxes on unseated lands shall be returned by the tax levying authorities to the county commissioners and collected by the county treasurer.

He also, from the Committee on County Government, reported as committed, House Bill No. 473, entitled:

An Act to repeal the act, approved the twenty-seventh day of February, one thousand eight hundred seventy-two (P. L. 179), entitled "An act to provide for the more economical collecting of state, county, poor and military taxes in the county of Huntingdon."

He also, from the Committee on County Government, reported as amended, Senate Bill No. 142, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg, and for the acquisition of real estate in connection therewith, and for the demolition of the buildings and structures thereon providing for and imposing powers and duties upon a Capitol Park Extension Commission conferring powers and duties upon the Department of Property and Supplies and making an appropriation.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth:

ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Ray S. Deily, 112 South Brook Street, Allentown, Lehigh County, for appointment as Alderman in and for the Fourteenth Ward of the City of Allentown, Lehigh County, until the first Monday in January, 1944, vice Charles F. Deily, deceased.

EDWARD MARTIN.

UNANIMOUS CONSENT UNDER RULE No. 38

By unanimous consent,

A motion was made by Mr. WATKINS and Mr. LETZLER, to grant unanimous consent to immediate consideration of the nominations just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. WATKINS and Mr. LETZLER, that the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATKINS. Mr. President, I move that the Executive Session do now rise.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, House Bill No. 313, entitled:

An Act to amend the title and sections eighteen, nineteen and twenty of the act, approved the fifteenth day of June, one thousand nine hundred thirty-seven (P. L. 1743), entitled "1937 Magistrates Court Act," removing certain powers and duties of the city controller and conferring them upon the clerk of the court of oyer and terminer, general jail delivery and quarter sessions; authorizing said clerk to employ additional clerks and fixing their salaries.

BILL RE-REFERRED

Mr. WALKER. Mr. President, in reporting House Bill No. 313, I do so with the request that it be re-referred to the Committee on Judiciary Special, so that it can receive attention togther with its companion bill.

The PRESIDENT. Is there objection? The Chair hears none.

It was agreed to.

Mr. BARR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BARR, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 268, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363), entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic, weak-minded person presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person.

BILLS INTRODUCED AND REFERRED

Mr. SNOWDEN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 474, entitled:

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth, together with the rentals derived therefrom, shall be repaid to and credited to the proper special fund, from which the funds to purchase said real estate were taken.

Which was committed to the Committee on State Government.

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 475, entitled:

An Act relating to entertainments on Sunday; permitting entertainments on Sunday after a certain hour for the duration of the war and six months thereafter when the admission fees, after deducting the expenses, are paid over to or received by a corporation or association engaged in promoting the war effort; providing for the licensing of such entertainments and allowing schools and certain public buildings and parks to be used therefor.

Which was committed to the Committee on Law and Order.

Mr. McQUIDDY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McQUIDDY read in his place and presented to the Chair Senate Bill No. 476, entitled:

An Act to further amend section one of the act, approved the twenty-ninth day of June, one thousand nine hundred twenty-three (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class," by increasing the salary of the controller.

Which was committed to the Committee on County Government.

Mr. JONES. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 477, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1001), entitled "An act providing for the regulation of areonautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by transferring to the Pennsylvania Public Utility Commission the powers and duties conferred and imposed upon the Department of Revenue, and directing that the cost of administering said act shall be segregated on the books of the commission.

Which was committed to the Committee on Aeronautics.

Mr. CHAPMAN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CHAPMAN read in his place and presented to the Chair Senate Bill No. 478, entitled:

An Act to amend section two of the act, approved the second day of June, one thousand eight hundred and eighty-three (P. L. 61), entitled "An act supplementary to an act, entitled 'An act for the incorporation and regulation of corporations,' approved April, twenty-ninth, one thousand eight hundred and seventy-four, authorizing the incorporation of pipe lines for the transportation of petroleum, and providing for the exercise of the right of eminent domain in taking lands and property for such purposes," by enlarging and extending the powers of such companies including the acquisition and disposition of franchises, shares of stock and property of such companies in this and other states, the distribution and storage of oil and petroleum products, the use of connecting lines and equipment of other companies and procedures and refiners, the construction and maintenance of connecting pipe lines or branches, pumps, tanks and other equipment within and without the State; extending the power of eminent domain; preserving the jurisdiction of the Pennsylvania Public Utility Commission; and regulating the laying of pipes by such companies and by foreign companies including companies incorporated under the Act of Congress, and the erection and protection of storage tanks.

Which was committed to the Committee on Corporations.

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 135, entitled:

An Act to amend section seven hundred sixteen of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances.

with the information that the House has passed the same without amendments.

He also returned to the Senate, Senate Bill No. 138, entitled:

An Act to amend sections six hundred four, six hundred five and six hundred seven, and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Department of Internal Affairs.

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 138, entitled:

An Act to amend sections six hundred four, six hundred five and six hundred seven, and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Department of Internal Affairs.

Senate Bill No. 135, entitled:

An Act to amend section seven hundred sixteen of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

ANNOUNCEMENT BY THE CHAIR

The PRESIDENT. The Chair announces that Mr. Wendling telephoned to advise that former State Senator Howell died this morning. The funeral will be at eleven o'clock Friday morning, interment at the Hickory Grove Cemetery, Waverly, Pennsylvania.

BILLS ON FIRST READING

Mr. EALY. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 142, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon providing for and imposing powers and duties upon a Capitol Park Extension Commission conferring powers and duties upon the Department of Property and Supplies and making an appropriation.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 211, entitled:

An Act to further amend section nine hundred eight subsection A of section one thousand six subsection A of section one thousand twelve and subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments, commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the amount and maintenance of reserve funds by banks anad banks and trust companies and authorizing certain loans by banks and banks and trust companies which are guaranteed against loss of certain Federal agencies investments in second liens in cases and under conditions herein specified and further providing for the powers and limitations upon powers of corporations with fiduciary powers.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 238, entitled:

An Act to amend sections four and six of, and to add section 7.1 to, the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commissions, after popular referendum, and the appointment of their members by the county commissioners; prescribing the powers and duties of such commissioners," providing that the Secretary of Agriculture cooperate with, and be a member ex-officio of, the county mosquito extermination commissions; prescribing powers and duties of the Secretary of Agriculture and said commissions; providing that costs of abating nuisances from breeding of mosquito larvae may be assessed against lands where breeding exists; and providing that said acts shall not apply to counties of the first class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 239, entitled:

An Act to amend sections one and two of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commissions, after popular referendum, and the appointment of their members by the county commissioners; prescribing the pwers and duties of such commissions," by providing for abolition of existng mosquito extermination commissions after popular referendum.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 268, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic, weak-minded person, presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 294, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by specifically exempting from county personal property tax liability, certain shares of stock in foreign insurance companies liable to a tax on their gross premiums under section twenty-four of the act, approved the first day of June, one thousand eight hundred and eighty-nine (P. L. 420), as amended.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 388, entitled:

An Act to amend section four hundred and twenty A of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by giving minors of the age of eighteen years and upwards full power and authority to make contracts of insurance or annuity with any life insurance company authorized to do business in the Commonwealth of Pennsylvania and to exercise all the powers and rights and privileges of ownership conferred on them under the terms of any and all such contracts applied for or issued to them regardless of whether such contracts were issued before or after such minors reached the age of eighteen years with the same force and effect as if they were of age.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 389, entitled:

An Act to amend clause (g) of section three of, and to add section fourteen and one-tenth to, the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 407, entitled:

An Act to amend section three of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," providing for the waiving of the requirement for the holding of meetings by societies under certain conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 473, entitled:

An Act to repeal the act, approved the twenty-seventh day of February, one thousand eight hundred seventy-two (P. L. 179), entitled "An act to provide for the more economical collecting of state, county, poor and military taxes in the county of Huntingdon."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 533, entitled:

An Act to amend the title and Section 1 of, and to add Sections 2.1, 2.2, 2.3, and 2.4 to, the act, approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 496), entitled "An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands," providing that in counties of the seventh and eighth classes taxes on unseated lands shall be returned by the tax levying authorities to the county commissioners and collected by the county treasurer.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 694, entitled:

An Act to amend sections one, five, seven, nine and twelve, and to repeal section six of the act, approved the twenty-seventh day of May, one thousand nine hundred and thirty-seven (P. L. 901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers, and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties," by changing definitions, the period of the license and the fee therefor, and the contents of records; eliminating the requirement for a bond, and adding to the reasons for refusing licenses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 695, entitled:

An Act to repeal the act, approved the twenty-third day of June, one thousand eight hundred ninety-seven (P. L. 202), entitled "An act to prevent fraud and deception in the manufacture and sale of cheese, and defining what shall constitute the various grades of cheese, providing rules and regulations for marking and branding the same, providing for the enforcement of this act, prescribing penalties for its violation."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 696, entitled:

An Act to repeal the act, approved the eighteenth day of June, one thousand eight hundred ninety-seven (P. L. 168), entitled "An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standard, to prevent the adulteration of the same, providing for the enforcement thereof, and punishment for the violation of the same."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 697, entitled:

An Act to amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 650) entitled "An act requiring persons associations partnerships and corporations and their agents herein defined as dealers and brokers engaging in the business of buying receiving selling exchanging negotiating or soliciting the sale resale exchange or transfer of certain domestic animals to be licensed by the Department of Agriculture providing for the revocation of such licenses imposing certain duties on such dealers and brokers and their agents conferring powers on said department and providing penalties" by changing the definition of "dealer"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL INTRODUCED AND REFERRED

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART read in place and presented to the Chair, Senate Bill No. 479, entitled:

An Act making application to the Congress of the United States to call a Convention for proposing an amendment to the Constitution of the United States limiting the tenure of office of a President of the United States to not more than two consecutive terms.

Which was committed to the Committee on Federal Relations.

ADJOURNMENT

Mr. EALY. Mr. President, I move that the Senate do now adjourn until Thursday, April 1, 1943, at 11 o'clock a. m., Eastern War Time.

Mr. BOWERS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:22 o'clock p. m., Eastern War Time until Thursday, April 1, 1943, at 11 o'clock a. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, March 31, 1943

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Dear Lord we need Thy help because none of us know enough and none of us are good enough. We thank Thee that Thou are all wise and perfect in all Thy ways.

Help us to avail ourselves to Thy resources which are constantly at our command for every demand that life places upon us.

Forgive us our sins and by Thy grace may we prove what is that good and acceptable, and perfect will of God. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, March 30, 1943.

The Clerk proceeded to read the Journal of Tuesday, March 30, 1943, when, on motion of Mr. SMITH, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. FREED and MOSER.

HOUSE BILL No. 1074.

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Allentown State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

Referred to the Committee on Appropriations.

By Mr. LLOYD H. WOOD. HOUSE BILL No. 1075.

An Act making an appropriation to the Department of Property and Supplies for the construction and improvement of buildings and equipment at certain State institutions operating under the Department of Welfare.

Referred to the Committee on Appropriations.

RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. DENMAN and LOVETT.

RESOLUTION No. 47.

In the House of Representatives, March 30, 1943.

Twelve per cent of the weight of a fish can be turned into juice and that juice is sufficient to sustain human life for weeks.

This fact is the reason for the equipment of life boats and life rafts with fishing tackle to be used by our service men who find themselves adrift upon the ocean.

After thousands of men had lost their lives at sea as a result of thirst, it remained for Pennsylvania's ex-Governor Gifford Pinchot to tell the army, the navy and the merchant marine about fish and fishing tackle.

Again our former Governor has come forward in an emergency and this time his contribution may result in the saving of many lives; therefore be it

Resolved, That the House of Representatives hereby extends to the Honorable Gifford Pinchot its most sincere congratulations upon the part he has taken in the present emergency toward saving the lives of not only our men in service, but the lives of countless number of persons who may hereafter be cast adrift upon the ocean without food or drink; and be it further

Resolved, That as evidence of our recognition of his great service to mankind, the Chief Clerk of this House is directed to forward a copy of this resolution to the Honorable Gifford Pinchot.

Referred to the Committee on Rules.

By Mr. DALRYMPLE.

(Concurrent) RESOLUTION No. 48.

In the House of Representatives, March 30, 1943.

The launching on December 5, 1943, of the "U. S. S. Michigan," later remained, and acquiring fame as the "Wolverine," marked the birth of the modern ironclad ship of war.

After an eventful career during which it trained hundreds of reserves for the United States Navy, many of whom served as officers and sailors in the Civil War, the Spanish-American War and World War I, the "Wolverine" was placed on exhibition at Erie, where, its condition becomnig dangerous, it was closed to visitors in 1938, and has been allowed to sink into the mud of Misery Bay.

There is still three thousand dollars worth of iron in the ship, which was hauled by oxen one hundred years ago from Pittsburgh to Erie. It is a most fitting tribute to the ancient vessel and its traditions of service that it should at last itself go forth into battle in the new form of modern implements of war; therefore be it

Resolved, (if the Senate concur), That the General Assembly of Pennsylvania memorialize the President and Congress of the United States to permit the salvaging of the metal that once was the proud ship "Wolverine" and which now is rusting away in the waters of Lake Erie, and converting it into much needed scrap for the manufacture of munitions and implements of war; and

Resolved, That copies of this resolution, certified by the Chief Clerk of the House of Representatives, be forwarded to the President of the United States, to the presiding officers of the two houses of Congress, and to each Senator and Congressman from this Commonwealth.

Referred to the Committee on Federal Relations.

By Messrs. COOPER and McCLESTER.

(Concurrent) RESOLUTION No. 49.

In the House of Representatives, March 30, 1943.

Whereas, Since the beginning of our Commonwealth, Pennsylvania has kept, preserved and protected the Sabbath as a day of rest and worship, and its General Assembly enacted laws for the same nearly 150 years ago; and

Whereas, It is the earnest and fervent desire of this House to thank our Maker for the spiritual and temporal blessings which have for so many years been bestowed upon our Commonwealth and our Nation; and

Whereas, It is our hope and prayer during this great crisis to invoke divine favor upon all our people and forces at home and abroad so that we may make those costly sacrifices necessary to win this war and secure a righteous peace; therefore be it

Resolved (if the Senate concur), That the General Assembly of this Commonwealth commends to the people of Pennsylvania as a factor for victory and an enduring peace, to turn once again to their churches and synagogues, Houses of God, to their Bibles and Torahs, Books of God, and to their observance of the Sabbath, God's Day, as a day of worship for each man according to the dictates of his own conscience, and a day of rest, except in cases of necessity, charity, or mercy; and be it further

Resolved, That His Excellency, the Governor of this Commonwealth issue a proclamation to be read in all places of worship, commending to all citizens and people of Pennsylvania the observance of the Sabbath.

Referred to the Committee on Rules.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. MODELL for himself for tomorrow's session.

REPORTS FROM COMMITTEES

Mr. HOCKE, from the Committee on Highways, reported as committed, House Bill No. 56, entitled:

An Act authorizing the Department of Highways and counties, cities, boroughs, towns and townships to adopt and take over as public roads and highways, certain highways taken over, located, extended or constructed by the Federal Government or any agency thereof in the exercise of the war power; and providing the procedure therefor.

Mr. O'CONNOR, from the Committee on Townships, reported as committed, House Bill No. 198, entitled:

An Act to amend section nine hundred fifteen of the act approved the first day of May, one thousand nine hundred thirty-three, (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," continuing the liability of taxpayers after the tax collector has been exonerated.

Mr. LIVINGSTONE, from the Committee on Printing, reported as committed, House Bill No. 330, entitled:

An Act relative to the printing for the Commonwealth of Pennsylvania; to establish the requirements of responsible bidders; to prescribe penalties for the violation of the provisions of this act, and to repeal all acts and parts of acts inconsistent with the provisions of this act.

Mr. FOX, from the Committee on Townships, reported as committed, House Bill No. 358, entitled:

An Act to amend section one thousand one hundred fifty-six of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," providing for the regulation of encroachments on township highways and the issuing of permits therefor by the township supervisors instead of by the Department of Highways of the Commonwealth, and for the payment of permit fees into the township treasury.

Mr. BAKER, from the Committee on Liquor Control, reported as committed, House Bill No. 541, entitled:

An Act to further amend section six hundred two, subsection fourteen, of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State Government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," exempting certain coin operated motion picture machines from provisions of the act requiring special permits.

Mr. SERRILL, from the Committee on Highways, reported as committed, House Bill No. 625, entitled:

An Act to amend section one of the act, approved the sixth day of May, one thousand nine hundred twenty-seven (P. L. 843), entitled "An act authorizing the Department of Highways, with the approval of the Governor, to build, rebuild, construct, and maintain roads wholly upon the lands of State institutions and State parks, and providing for the payment of the cost thereof," by authorizing the Department of Highways, with the approval of the Governor, to build, rebuild, construct and maintain roads, bridges and viaducts wholly on State Armory properties and State Military Reservations and on the grounds of the Soldiers' and Sailors' Home of Erie, Pennsylvania.

Mr. COOPER, from the Committee on Cities-Second Class, reported as committed, House Bill No. 663, entitled:

An Act to further amend Section 2, to amend Sections 3 and 5, to add Section 8.1, and to amend Section 11 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers: abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by reducing the number and changing the manner of appointment of members of said board, further prescribing their powers and duties; fixing the qualifications and requiring examinations of employes of the board; further regulating the making of assessments and valuations of real property; and imposing duties on certain county officers.

Mr. YESTER, from the Committee on Professional Licensure, reported as committed, House Bill No. 756, entitled:

An Act to amend section two of the act, approved the twenty-sixth day of May, one thousand nine hundred twenty-one (P. L. 1172), entitled "A supplement to the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity'; requiring permits to conduct pharmacies; providing for the revocation thereof; and prescribing penalties," by adding to the qualifications required of applicants for a pharmacy license.

Mr. HARE, from the Committee on Motor Vehicles, reported as committed, House Bill No. 778, entitled:

An Act to further amend subsection (k) of section eight hundred twenty-three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," amplifying the provisions relating to the display of official certificates of inspection by motor vehicle, trailer or semi-trailer.

Mr. CORRIGAN, from the Committee on Motor Vehicles, reported as committed, House Bill No. 804, entitled:

An Act to further amend subsection (d) of section one thousand two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," making certificates from an official speedometer testing station prima facie evidence of the facts contained therein in appeals taken from suspension or revocation of operating privilege.

Mr. IRVIN, from the Committee on Motor Vehicles, reported as committed, House Bill No. 807, entitled:

An Act to further amend subsection (b) of section one thousand two hundred six of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, miscellaneous receipts; making an appropriation and providing for refunds," by including certain pleas to be certified by the clerks of court.

Mr. ELDER, from the Committee on Fisheries, reported as committed, House Bill No. 841, entitled:

An Act to further amend section two hundred twenty-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by requiring that amount of bond of issuing agents shall be fixed by the Secretary of Revenue.

Mr. FLEMING, from the Committee on Townships, reported as committed, House Bill No. 851, entitled:

An Act to amend section one thousand one hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one, (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," providing for the salary of the controller.

Mr. TIEMANN, from the Committee on Liquor Control reported as committed, House Bill No. 871, entitled:

An Act to further amend sections two, three hundred five, paragraph (4) of section six hundred two and section six hundred three of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises; and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by defining "Official Seal" and authorizing the designation of wholesale or retail stores.

Mr. CORDIER, from the Committee on Welfare, reported as committed, House Bill No. 878, entitled:

An Act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock, equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council; providing for the repayment of such advancements; authorizing the State Council for the Blind to adopt rules and regulations; and making an appropriation.

Mr. CHERVENAK, from the Committee on Townships, reported as committed, House Bill No. 922, entitled:

An Act to add Clause XLVII to section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing the townships of the first class to make appropritaions to Veterans' Home Associations.

Mr. DEPUY, from the Committee on Welfare, reported as committed, House Bill No. 926, entitled:

An Act creating a commission to make a study of juvenile delinquency; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

Mr. STANK, from the Committee on Highways, reported as committed, House Bill No. 1003, entitled:

An Act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation.

Mr. BOORSE, from the Committee on Fisheries, reported as committed, Senate Bill No. 130, entitled:

An Act to amend section two hundred thirteen of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by prohibiting the sale of or offering for sale of bait-fish or fish-bait taken from the waters of this Commonwealth, when not artificially propagated and sold pursuant to an artificial propagation license granted by the board.

Mr. JAMES, from the Committee on Townships, reported as amended, House Bill No. 372, entitled:

An Act to amend clause eight of section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by empowering townships of the second class to levy a tax, under certain circumstances, for the purpose of paying for the removal and disposal of ashes, garbage and other refuse material.

Mr. COOPER, from the Committee on Judiciary General, reported as amended, House Bill No. 452, entitled:

An Act to amend sub-sections one and two of section nine of the act approved the twenty-fourth day of July, one thousand nine hundred and forty-one (P. L. 490) entitled "An act relating to acknowledgements of written instruments, and to make uniform the law with relation thereto," defining how certificates of certain acknowledgements taken without the State shall be authenticated.

Mr. FLEMING, from the Committee on Welfare, reported as amended, House Bill No. 468, entitled:

An Act to further amend sections three hundred seven and five hundred one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental disease, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care and discharge of mental patients; and imposing penalties," imposing certain costs on the institution district.

Mr. LEONARD, from the Committee on Welfare, reported as amended, House Bill No. 497, entitled:

An Act to further amend section one of article two, and section one of article ten, of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," abolishing the Department of Public Welfare of such cities; and transferring its powers and duties and records and certain city property to the county institution district of the county in which the city is located.

Mr. LEONARD, from the Committee on Welfare, reported as amended, House Bill No. 498, entitled:

An Act to further amend section one hundred two, and to amend sections two hundred two and two hundred three of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven, (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance, in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," abolishing city institution districts in cities of the second class; and transferring their powers and duties and their property to the county institution district of the county in which the city is located.

Mr. BENTLEY, from the Committee on Cities-Second Class, reported as amended, House Bill No. 753, entitled:

An Act to reenact and amend the act, approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment, and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," by extending the provisions of said act to cities of the second class, limiting its application and the use of the proceeds of any tax levied therein.

Mr. STOCKHAM, from the Committee on Highways, re-reported as amended, House Bill No. 488, entitled:

An Act authorizing the Secretary of Highways, at the request of, and under agreement with, the Public Roads Administration of the United States, to lay out, establish, construct and maintain flight strips and roads to the sites of war activities or to replace roads or streets which have been closed by defense or military activities and to condemn property for such purposes; authorizing a width of two hundred feet for such roads in certain cases, and making an appropriation.

APPOINTMENTS TO JOINT STATE GOVERNMENT COMMISSION

The SPEAKER. In compliance with the provisions of the Laws of Pennsylvania 1937 P. L. 2460, as amended by the Act of 1939 P. L. 1084, and Act No. 4 approved March 8, 1943, the Speaker appoints the following as members of The Joint State Government Commission to serve until the first day of February, 1945:

Messrs. Lee and Readinger.

BILLS ON FIRST READING

The SPEAKER. The Chair requests the gentleman from Northumberland, Mr. Stank, to preside during the first reading calendar.

MR. STANK IN THE CHAIR

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 112, entitled:

An Act authorizing the Armory Board of the State of Pennsylvania to construct and erect in the County of Dauphin, a memorial or monument in memory of the residents of Dauphin County who served in the forces of the United States during World War I, and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 514, entitled:

An Act to amend the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties," further regulating such retirement systems.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 519, entitled:

An Act to amend the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing ceretain charges on counties, and fixing penalties," further regulating such retirement systems.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 680, entitled:

An Act to amend section one of the act which became effective on the seventh day of July, one thousand eight hundred and seventy-nine (P. L. 194), entitled "An act to enlarge the jurisdiction of justices of peace, and regulating the fees of constables making sales under this act," further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 684, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing the certain officers of dissolved business corporations to execute and deliver deeds, conveyances, agreements, assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 735, entitled:

An Act to amend sections eleven, fifteen, and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," further regulating appeals from assessments, and exonerations and refunds of taxes effected thereby; validating appeals heretofore taken; and imposing additional duties upon the said board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 742, entitled:

An Act to amend section one of the act, approved the fifteenth day of June, one thousand nine hundred and thirty-nine (P. L. 346), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed, levied and collected upon the basis of the county assessments; imposing duties on county assessing authorities; abolishing the department of assessors in cities of the second class and transferring certain property to county taxing authorities," by defining the effect upon appeals of the certification of tax duplicates to cities of the second class and to school district coterminous therewith, and providing for exonerations and refunds of taxes assessed against properties affected by such appeals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 815, entitled:

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases," further extending the property and contractual rights of married women.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 886, entitled:

An Act to amend sections one thousand one hundred twenty one thousand one hundred twenty-eight and one thousand one hundred thirty-nine of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by providing for the appointment of substitute and acting county superintendents of schools, substitute assistant county superintendents of schools, substitute supervisors of special education, and substitute and acting district superintendents of schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 929, entitled:

An Act creating a commission to study the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient system of public school, prescribing its powers and duties, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 993, entitled:

An Act to amend clause (g) of section two hundred four of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporation which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by providing that the exemption from local taxation afforded to certain public property shall not extend to property, otherwise taxable, which is owned or held by an agency of the Government of the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Northumberland, Mr. Stank.

SENATE MESSAGES

The Clerk of the Senate, Mr. McGroerty being introduced, presented the following extracts from the Journal of the Senate:

For concurrence Senate Bills Nos. 20, 37, 359.
House Bills returned without amendment, 527 and 529.
House Bill returned with amendment, 528.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 528.

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Acts, page 13), entitled "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one," providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-three.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page , lines 2 and 3, by striking out the words and figures "sixty thousand dollars ($60,000)" and inserting in lieu thereof the words and figures "one hundred seventy-five thousand dollars ($175,000)"; also in line 16, by striking out after the word "department" the following: "during the period beginning March fifteenth one thousand nine hundred forty-three and ending April fourteenth one thousand nine hundred forty-three."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—202

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley.
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Consitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 527.

An Act making a deficiency appropriation to aid certain school districts.

HOUSE BILL No. 529.

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Acts, page thirteen), entitled "An act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one," providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-three.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 528.

A Supplement to the act approved the sixteenth day of June one thousand nine hundred forty-one (Appropriation Acts page 13) entitled "An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-one" providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred forty-three.

HOUSE BILL No. 527.

An Act making a deficiency appropriation to aid certain school districts.

HOUSE BILL No. 529.

A Supplement to the act, approved the sixteenth day of June, one thousand nine hundred forty-one (Appropriation Acts, page 13), entitled, "An act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-one; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-one", providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first, one thousand nine hundred forty-three.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 690, entitled:

An Act to further amend clause seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" extending the time for officers and employes of the Department of Public Instruction to withdraw from the Retirement System and receive reimbursement for moneys paid in and requiring payments from the School Employes' Retirement Fund into the State Employes' Retirement Fund in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 691, entitled:

An Act to further amend clauses nine and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining original members and prior service in the case of officers and employes of the Department of Public Instruction who have withdrawn from the Public School Employes' Retirement Association.

The first section was read.

On the question,

Will the House agree to the section?

Mr. KLINE offered the following amendments:

Amend sec. 1 (cl. 13) page 5, lines 11, 12 and 13, by striking out the words "not later than thirty-first day of December, one thousand nine hundred forty-three" and inserting in lieu thereof the following: "and all prior service which had been credited by the Public School Employes Retirement Association."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 736, entitled:

An Act to further amend section sixteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by providing for the surrendering by persons in military service of licenses granted to them the renewal thereof by the board during the licensee's continuance in such service and the renewal thereof thereafter

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 865, entitled:

An Act to amend section four hundred nine of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by providing for the surrendering by persons in military service of licenses granted to them the renewal thereof by the board during licensee's continuance in such service and the renewal thereof thereafter

The first section was read.

On the question,

Will the House agree to the section?

Mr. HEATHERINGTON. Mr. Speaker, I ask that this bill be passed over temporarily, House Bill 865, Printer's No. 257.

The SPEAKER. Will the sponsor agree to pass the bill over?

Mr. IRVIN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Heatherington.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. HEATHERINGTON. I shall, Mr. Speaker.

Mr. IRVIN. Mr. Speaker, would the gentleman kindly tell me why he wishes this bill to be passed over temporarily?

Mr. HEATHERINGTON. Mr. Speaker, the bill, House Bill 865, is almost the same as House Bill 122 that I introduced in the beginning of the Session. I have amendments drawn up for this bill, House Bill 865, which I gave to the Chairman of the Liquor Control Committee yesterday afternoon to look over, and I fail to see the Chairman of the Liquor Control Committee in the House.

Mr. IRVIN. Mr. Speaker, the sponsor will agree to have it passed over temporarily.

Mr. HEATHERINGTON. I thank the gentleman, Mr. Speaker.

BILL PASSED OVER

There being no objection House Bill No. 865, Printer's No. 257, was passed over at the request of Mr. IRVIN.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 213, entitled:

An Act to further amend the third paragraph of section one thousand four hundred and thirteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the provisions for the education of physically and mentally handicapped children.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 194, entitled:

An Act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to applicants who are less than twenty-one but not less than eighteen years of age

The first section was read.

On the question,

Will the House agree to the section?

Mr. AUKER offered the following amendments:

Amend sec. 1, page 1, line 7, by inserting after the word "profession" the following: "except the professions of medicine, dentistry, osteopathy and optometry."

Amend sec. 1, page 2, line 2, by inserting after the word "age" the following: "and who is a citizen of the United States."

They were agreed to.

The section was agreed to as amended.

The second and third sections were separately read and agreed to.

The title was read.

Amend title, page 1, line 4 of title, by inserting after the word "to" the following: "certain."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 675, entitled:

An Act to further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" making the sale of land purchased at treasurer's sale discretionary and authorizing the sale of such property on court order free and clear of all liens charges and estates

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 817, entitled:

An Act to amend the title and the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2420) entitled "An act fixing the hours of rest each calendar week and the vacation period of members of the Pennsylvania Motor Police Motor Police and Patrolmen and Guards in State Parks" by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police

The first section was read.

On the question,

Will the House agree to the section?

Mr. MODELL. Mr. Speaker, I desire to interrogate the gentleman from Somerset, Mr. Hare.

The SPEAKER. Will the gentleman from Somerset permit himself to be interrogated?

Mr. HARE. I shall, Mr. Speaker.

Mr. MODELL. I desire to know from the gentleman, Mr. Speaker, whether I am correct in understanding the bill to have as its purpose only the substitution of the word "State" for "Motor" with reference to the Commonwealth police?

Mr. HARE. That is correct, Mr. Speaker.

Mr. MODELL. I desire further to know from the gentleman, Mr. Speaker, whether there are on the calendar eleven other bills which do the same thing—introduced by the same gentleman.

Mr. HARE. A slight correction, Mr. Speaker, nine bills—no, eleven bills. The gentleman is right.

Mr. MODELL. And am I correct, Mr. Speaker, in further understanding that these bills were necessitated by the introduction and passage of House Bill 170 now enacted into law?

Mr. HARE. That is correct, Mr. Speaker.

Mr. MODELL. I thank the gentleman.

Mr. Speaker, inasmuch as I will not be in the House tomorrow when these bills come up for third reading I desire to make a statement at this time with regard to this particular bill. Some weeks ago House Bill 170 came before this House and had as its only purpose a change of name for the Commonwealth police. There seemed to be at that time no real reason for the change other than perhaps it would be more euphonious or perhaps, as stated by the sponsor, more correct in definition.

Over the objection of the Members on this side of the House that bill passed through this House and through the Senate and was signed by the Governor and enacted into law. At that time it may be recalled we requested the sponsor to inform us how much the passage of this bill would mean in dollars and cents to the state. We received no satisfactory answer, but we did warn the Members of the other side of the House that they would run into certain necessary expenses incidental to the bill, and that more expenses might be incurred later, but still the bill went through. This ill-advised step by the Members on the other side of the House has now come back to haunt them in the passage, or the necessity for the passage of these eleven new bills and possibly others at some future time—only time will tell. These bills run from two to fourteen pages in length and are a definite additional expense on the people of this Commonwealth.

It is no excuse, Mr. Speaker, to say that in 1937 when this House was dominated by the Democratic party they did the same thing. In my humble opinion at that time they had more cause to change the name, but there, even if I am wrong and if the party was wrong in 1937, certainly there was no reason for the mistake to be made again by this present administration. They had an opportunity at that time to realize the expenses involved.

This side of the House has no alternative but to go along on these bills, and we will go along on them because the laws established on the books of this state must be corrected, but we wish to say to you, Mr. Speaker, and to the Members on the other side of the House and to the public at large, and for the record that we definitely oppose the type of legislation of House Bill 170; that we protest the introduction of such bills, and we say that such additional useless and needless costs saddled upon the government should not have happened in the first place. We trust, although we are going along on these bills, that this same boner will not be pulled again by the present administration.

Mr. HARE. Mr. Speaker, I listened with a great deal of interest to the remarks of the gentleman from the other side, and having had occasion last evening to read the Legislative Journal of 1937 on this particular phase, I might say that the gentleman's remarks are almost identical with the remarks of the Republicans in 1937 on this same measure.

I went to the Attorney General. I am sorry that the House had to have eleven bills on the calendar, but they found rather as the gentleman said, the erroneous precedent set by the Democratic party in 1937, which forced us to introduce eleven separate bills. We on this side of the House are just as much interested in economy as the gentlemen on the other side, and I apologize to the House for the fact that we had to have eleven bills but it has been, as the gentleman has said, due to the wrong that was done in 1937.

Mr. CHUDOFF. Mr. Speaker and Members of the House, I am not going to take up very much time in what I have to say regarding this bill, but after listening to the gentleman from Philadelphia, Mr. Modell, and the gentleman from Somerset, Mr. Hare, I believe that what they had to say bears out the old adage, two wrongs do not make one right.

On the question recurring,
Will the House agree to the section?
The section was agreed to.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 818, entitled:

An Act to amend sections one two and four of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 494) entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescribing the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies" by changing the name Pennsylvania Motor Police to Pennsylvania State Police

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 819, entitled:

An Act to further amend the title and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1314) entitled as amended "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth prescribing the qualifications for admission of such persons to such school providing for the payment of certain costs by such students conferring certain powers upon the Pennsylvania Motor Police and making an appropriation" by imposing upon the Pennsylvania State Police the duties formerly imposed upon the Pennsylvania Motor Police

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideratior of House Bill No. 820, entitled:

An Act to amend the title and certain sections of the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled "An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by changing the name of the Pennsylvania Motor Police Retirement System to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police and conforming said act to existing law

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 824, entitled:

An Act to further amend certain sections of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as reenacted and amended by making the moneys in the Motor License Fund available to the Pennsylvania State Police to defray the expenses required by such agency in the proper conduct of part of its work

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 826, entitled:

An Act to further amend sections eight hundred and twenty-three (i) and (j) and one thousand two hundred and eleven of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with subject matter of this act conferring powers and imposing duties upon the Department of Revnue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehices and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended by changing the name Pennsylvania Motor Police to Pennsylvania State Police

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 829, entitled:

An Act to amend the title and sections four five six and eight of the act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled "A supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (Pamphlet Laws two thousand four hundred twenty-three) as amended entitled 'An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties'" by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System and the name Pennsylvania Motor Police to Pennsylvania State Police

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 831, entitled:

An Act to amend the title and certain sections of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 660) entitled "An act providing for the return of escaped prisoners and convicts after apprehension to the penitentiary or state institution from which they escape by the agents of the Department of Justice or the Pennsylvania Motor Police and requiring the penitentiary or state institution to defray the expenses thereof" by changing the name Pennsylvania Motor Police to Pennsylvania State Police

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consileration of House Bill No. 833, entitled:

An Act to further amend the title and the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 414) entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania Motor Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties" by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 839, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-three evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMMITTED

Mr. WALTER E. ROSE. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 844, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that under war time conditions the Department of Property and Supplies may make certain purchases and may authorize any department board or commission to make certain purchases without advertising competitive bidding or to make certain direct purchases of various publications further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans and specifications therefor and relieving the Department of Property anl Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 889, entitled:

An Act to amend section eight of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by changing the name State Highway Patrolmen to Pennsylvania State Police

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 914, entitled:

An Act to further amend the title and certain sections of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania Motor Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania Motor Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania Motor Police and the enforcement of its orders and prescribing penalties" by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 112, Printer's No. 57, was passed over at the request of Mr. TATE.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 262, entitled:

An Act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees.

The first section was read.

On the question,

Will the House agree to the section?

Mr. WALTER E. ROSE offered the following amendment:

Amend Sec. 1, page 2, lines 8 and 9, by striking out the following: "Act Number 45" and inserting in lieu thereof: "the act".

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 816, entitled:

An Act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts authorizing additional appropriations and temporary loans therefor and requiring the Commonwealth to reimburse school districts for the full amount of such increases

The first section was read.

On the question,

Will the House agree to the section?

Messrs. PAUL L. WAGNER, LEVY, MODELL and CULLEN, LEE and O'BRIEN, BRADLEY and O'NEILL offered amendments.

The SPEAKER. The amendments offered by the gentleman from Schuylkill, Mr. Wagner, will be read.

The Clerk read the amendments as follows:

Amend sec. 1, page 2, lines 1 and 2, by striking out the word "Monday" and inserting in lieu thereof the word "day".

Amend sec. 1, page 3, line 10, by inserting after the word "Any" the following: "part of any emergency or temporary."

Amend sec. 1, page 3, lines 10 and 11, by striking out the words "other than minimum increments required by law."

Amend sec. 1, page 3, line 15, by striking out the word "shall" and inserting in lieu thereof the following: "may, at the discretion of the board of school directors (or board of public education)."

Amend sec. 1, page 3, line 17, by inserting after the word "staff" the following: "All deductions so made shall apply uniformly to all members of the teaching and supervisory staffs in the district."

Amend sec. 1, page 3, line 19, by striking out the word "at" and inserting in lieu thereof the words "by a school district until after."

Amend sec. 1, page 3, lines 21, 22 and 23, by striking out the words "or during the school year one thousand nine hundred forty-two, one thousand nine hundred forty-three (1942-1943)."

Amend sec. 1, page 3, line 25, by striking out the word "law" and inserting in lieu thereof the words "section one thousand two hundred ten of the Public School Code of May eighteenth, one thousand nine hundred eleven (P. L. 309) and its amendments."

Amend sec. 1, page 3, line 26, by inserting after the word "and" the words "any part of."

Amend sec. 1, page 3, line 28, by striking out the word "shall" and inserting in lieu thereof the following: "may, at the discretion of the board of school directors (or board of public education)"

Amend sec. 1, page 3, line 29, by striking out the word "Such" and inserting in lieu thereof the following: "All deductions as made shall apply uniformly to all members of the teaching and supervisory staffs in the district.

"Members of the teaching or supervisory staff of a school district who are employed by the district for a part, less than the whole, of the period from the effective date of this act, until the first day of July, one thousand nine hundred forty-four, shall receive only the proportionate part of the additional salary provided for hereby, equal to the number of payroll periods during which he or she is employed by the district as compared with the total number of payroll periods in the district during the period when the increase provided for hereby shall be effective. The."

Amend sec. 1, page 4, line 1, by inserting after the word "amounts" the following: "of salary provided for hereby."

Amend sec. 1, page 4, by inserting between lines 5 and 6 the following: "The amount of increase in salaries provided for by this act for each member of the teaching and supervisory staffs of each school district shall be divided by the number of payroll periods in the school district between the effective date of this act and the first day of July, one thousand nine hundred forty-four, and such proportionate amount shall be added to the regular salary and paid at each payroll period."

On the question,

Will the House agree to the amendment?

QUESTION OF INFORMATION

Mr. O'CONNOR. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Cambria will state his question of information.

Mr. O'CONNOR. Mr. Speaker, is House Bill 816, reported from the Committee, now on file?

The SPEAKER. House Bill 816, Printer's No. 174.

Mr. O'CONNOR. We are dealing now with the Printer's No. 174, Mr. Speaker?

The SPEAKER. That is right. The bill was reported from Committee as committed.

Mr. PAUL L. WAGNER. Mr. Speaker, I doubt whether it is necessary to indulge in any prolonged discussion of these amendments, but I do feel since a lot of amendments are in the air, it might be well to say that these amendments are clarifying; they are the result of the study and the judgment of the Committee on Education and of the sub-committees that constructed this bill, and of the sponsors of House Bill 816. The Education committee and the sponsors ask that the particular amendments which I have offered be adopted by the House.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the section as amended?

The amendments offered by the gentleman from Philadelphia, Mr. Levy, were read as follows:

Amend Sec. 1, page 1, lines 3, 4 and 5, by striking out the following: "who are paid in the lower" in line 3, all of line 4, and the words "families a decent standard of living" in line 5, and inserting in lieu thereof: "to maintain the highest standard of war time working efficiency and to guarantee the public schools' maximum contribution to victory in this war for national survival."

Amend Sec. 1, page 1, lines 7 and 8, by striking out the words "the following amounts during" and inserting in lieu thereof: "six hundred dollars ($600.00) for."

Amend Sec. 1, page 2, lines 2 to 29, by striking out the following: "To" in line 2, and all of lines 3 to 29, both inclusive.

Amend Sec. 1, page 3, lines 1 to 29, both inclusive, by striking out all of said lines.

Amend Sec. 1, page 4, lines 1 to 5, both inclusive, by striking out all of said lines, and inserting in lieu thereof: "and the sum of five hundred dollars ($500.00) for the period following the first Monday of July, one thousand nine hundred forty-four and ending on the first Monday of July, one thousand nine hundred forty-five."

On the question,

Will the House agree to the amendments?

Mr. CORDIER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Levy.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. LEVY. I shall, Mr. Speaker.

Mr. CORDIER. I desire to ask the gentleman from Philadelphia whether or not I am correct in my interpretation of these amendments, that they provide for a $600 increase for each teacher for the school years of 1943 and 1944, a $500 increase for each teacher in the Commonwealth for the years 1944 and 1945?

Mr. LEVY. That is substantially correct, Mr. Speaker.

Mr. CORDIER. I desire to ask the gentleman, Mr. Speaker, whether or not he is in possession of the information as to the number of teachers in the Commonwealth.

Mr. LEVY. Mr. Speaker, in answer to the gentleman concerning the number of teachers in the Commonwealth, I would say that I am well acquainted with the number.

Mr. CORDIER. Will the gentleman state the number for the information of the House.

Mr. LEVY. The number of teachers in the state of Pennsylvania, Mr. Speaker, is sixty-one thousand two hundred seventy.

Mr. CORDIER. Mr. Speaker, am I correct in my interpretation of the gentleman's amendment, that this will mean an $1100 increase for each teacher in the Commonwealth over the period between the school years of 1943-1944 and 1944-1945?

Mr. LEVY. Mr. Speaker, in answer to the gentleman from Lackawanna, I would say this is an $1100 increase for two entire school periods and four school years.

Mr. CORDIER. Will the gentleman state to the House. Mr. Speaker, the approximate cost of this increase?

Mr. LEVY. I would say, Mr. Speaker, that this bill would cost approximately sixty-five million dollars.

Mr. CORDIER. That is close enough, Mr. Speaker, but my figures say sixty-eight million two hundred thousand dollars.

Mr. LEVY. All right, it is a question of difference, Mr. Speaker.

Mr. CORDIER. I desire to ask the gentleman, Mr. Speaker, whether or not he is in possession of the total amount of appropriations that the state gave for school appropriations for the school years 1941 and 1943.

Mr. LEVY. Mr. Speaker, would the gentleman kindly repeat his question.

Mr. CORDIER. I desire to ask the gentleman, Mr. Speaker, as to the total amount of the school appropriation given by the Commonwealth for the year 1941 and the year 1943.

Mr. LEVY. If I recall correctly, Mr. Speaker, I believe there is approximately a total of one hundred million dollars.

Mr. CORDIER. That is approximate, Mr. Speaker, according to the budget figures it was $71,223,000. I desire to ask the gentleman from what source he expects to get the sixty-eight million dollars?

Mr. LEVY. Mr. Speaker, in answer to the gentleman from Lackawanna, I am ready and willing to disclose the basis and source from which I would recommend to the Governor in his budget, which has already been compiled and prepared, how he would raise the necessary sixty-five or sixty-eight million dollars, but I would ask the gentleman if he is through with his questioning to yield on my answer until I debate my own amendments. It will be at that time, Mr. Speaker, that I will divulge exactly where the Commonwealth has the money now, and how they can spend this kind of money for the teachers of the Commonwealth.

Mr. CORDIER. I desire to ask the gentleman whether or not he will not answer now whether or not these funds shall come within the budget of the Commonwealth of Pennsylvania?

Mr. LEVY. Mr. Speaker, for the information of the gentleman from Lackawanna I would say that I am prepared to give him the source from which this money will come without the raising of additional taxes and without the placing of additional burdens on the people of the Commonwealth.

Mr. CORDIER. I thank the gentleman.

House Bill 816 was an honest attempt on the part of those of us in the House who were interested in the question of public education and increases in salaries for teachers of the Commonwealth in keeping not only the pledges made by both parties, but in keeping within reasonable bounds, and taking into consideration the needs of the teachers, the budgetary requirements of this administration and the ability of the Commonwealth to pay these increases without any new taxation.

We have put in many many weeks, those of us who are interested in this question, studying this matter and we have brought on the floor of this House now in amended form what we believe to be the bill that should be passed by this session of the legislature to insure these increases without the necessity of any new taxes. With all due deference to the gentleman from Philadelphia, I believe that his amendments will occasion new taxation in this Commonwealth to meet the requirements of his amendment. Accordingly, Mr. Speaker, I ask the House to vote down the gentleman's amendments.

Mr. LEVY. Mr. Speaker, I regret very much that the gentleman from Lackawanna continued his remarks after the questioning, because I am afraid the gentleman from Lackawanna placed himself in the same position as the Republican membership of the Committee on Education, when on consideration of amendments to House Bill 816, they waved their hands, indicating that this was all that could be expended, that this was all the Governor would decide to spend and this was the final policy promulgated by the Republican Steering Committee. Mr. Speaker, I say again I regret—

QUESTION OF INFORMATION

Mr. HARE. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Somerset will state his question of information.

Mr. HARE. Mr. Speaker, as a very young Member of the House, I was always under the impression that what went on in Committee was Committee work, and the gentleman seems to be discussing Committee action on the floor of the House.

The SPEAKER. For the information of the Members of the House the Chair will read Rule 90:

> "A member shall not relate in debate what was done or said in committee except such as is contained in the written report or is authorized by the committee."

The gentleman will proceed.

Mr. LEVY. Mr. Speaker, I only want to say to the gentleman from Somerset that when I make references to the Committee on Education I am abiding by the rule of the House. I do not intend to disclose the debate in committee on House Bill 816, but I certainly can inform the membership of the House that the same policy that pervaded the Committee in its deliberations is being expressed by the gentleman from Lackawanna when he says to the membership of the House "These amendments are offered by the gentleman from Philadelphia and I ask the House to vote them down."

I only ask the indulgence of the Members of the House to give us an opportunity to really study these amendments. I know in the usual procedure in the House amendments are read by the Clerk, rapidly of course, and haven't been given time to be digested by the Members, but in my humble opinion, Mr. Speaker, I feel that House Bill 816 is of such great importance to the people of the Commonwealth of Pennsylvania in this present national emergency that I would that they indulge me while I read the amendments, considering each in its turn.

As I said before the gentleman from Lackawanna I regret, has asked the Republican membership of the House to turn down these amendments without due consideration. If the gentleman from Lackawanna will recall on Monday night when he asked that this bill be recommitted to the Committee on Education for the purpose of certain amendments I asked him, and later asked the Chairman of the Committee whether they would give all persons the opportunity to offer amendments in the Committee.

I say to you this afternoon that the opportunity was offered, and my only objection to the offer and to the acceptance was that it was offered in the same manner that the amendments on the floor are offered this afternoon. I know the gentleman from Lackawanna agrees with me personally and I know the gentleman from Lackawanna stands for each and every amendment that I have offered personally, but I know also that there are certain ties of political partisanship, and I wish that the gentleman from Lackawanna would refrain from his political partisanship and give me sufficient time to bring before the House the merits of my amendments.

In the first place, before attacking the adequacy of House Bill 816 for the benefit of the teachers of the Commonwealth of Pennsylvania, permit me to say that I am in direct disagreement with the original introduction of the bill, especially in line two on page one to line five on page one, where the sponsors have said this is an increased cost of living during the present emergency to enable the lower bracket school teachers to come within that subsistence cost of living. I have offered the following amendment in the hope that the membership of the House would see in it the full import of the war emergency, and I have asked this afternoon that they duly consider in the place of what the sponsors have put in the bill in the first part of the session the following words:

> "An increase to be given to maintain the highest standard of war time working efficiency and to guarantee the public schools maximum contribution to victory in this war for national survival."

The language is very clear. Is the Republican party in Pennsylvania going to say to the teachers of the Commonwealth of Pennsylvania what they said to them in October 1942 when each and every Republican Member of this House ran for election, when the present Governor was a candidate for election, and when he said and when they said in their Republican platform: "To compensate for the rising cost of living in war time we favor increased teachers' salaries in order to maintain high efficiency in the public schools of Pennsylvania."

I charge this afternoon, Mr. Speaker, that the sponsors of this bill did not carry out their party pledge. They did not say in this bill anything about maintaining the high efficiency in the public schools in wartime. They only speak of the standards and costs of living to the lower bracket school teachers. I say to you that I am conferring that opportunity on the Members of the majority this afternoon when I ask them to include in House Bill 816 the proper wording to conform with their campaign pledge of 1942.

The gentleman from Lackawanna in opposing the amendments offered made reference to the high cost of living. I say to the gentleman and to the Republican Members of the House that the schools of Pennsylvania in war times cannot and must not be compromised. To maintain the high efficiency of the schools of Pennsylvania while the young men of the United States are dying, to uphold the teachings in the schools of Pennsylvania, I say to you no cost is too big, but, Mr. Speaker, the gentlemen of the majority want to remind themselves of one thing, House Bill 816 is not a creation of the Governor's budget. The Governor of Pennsylvania said in his budget only two months ago to this Assembly: "I have no money for the school teachers of Pennsylvania." I say to you gentlemen that the creation of House Bill 816 has only come about because pressure was brought by the school teachers of Pennsylvania, by the electorate of Pennsylvania on the Committee on Education, and it was only then that the Committee on Education was heard by the Governor, and he decided, "Yes, we must give something to the school teachers."

My argument is that "something" is not enough. If the Education Committee tomorrow were the Committee on Expenditures in the National House of Representatives, and if one machine gun would cost a thousand dollars more and would display more efficiency to bring this terrible war to an end one hour sooner, these same men would probably vote that thousand dollars more.

It is my purpose this afternoon, to have the men on the majority side of the House realize that the making of an efficient machine gun is not any more important—important though it is, than maintaining the efficiency of the education of the soldiers of tomorrow. I say to the Republican Membership of the House, they should include in this bill the words "to maintain the war time efficiency in the schools of Pennsyvania." That is what they said in 1942. I say to them that is what they should repeat in 1943 after they were elected.

Now, Mr. Speaker, concerning the adequacy of the bill, let me point out to the membership of the House that House Bill 816 is only "something". It is not sufficient; and there is not a Republican Member of this House who dare rise to his feet and say that this bill is adequate. The leaders of the Republican party in the House admit that the bill is not adequate, but they say the Governor did not include it in his budget and they say if the Governor decides to put something in the budget that is the limit he will go for.

I wonder if the Republican majority in Pennsylvania is willing to place upon the Governor the responsibility of giving an adequate contribution to the school of Pennsylvania. I, wonder! My amendments relate to the adequacy of the bill, gentleman, and provide that the bill should not be a hollow shell. I say that House Bill 816 is a mockery; that House Bill 816 is a fraud on the people of Pennsylvania. What do they say in the bill? They say "we are giving you a war time emergency cost of living raise; we are giving you a cost of living raise over a period of two years; you are to get $600, $500, $400 and $300." Until when? Until when, gentlemen? Until the month of June, 1944. If the present emergency still exists in June, 1944 and the teachers of Pennsylvania are still forced to face the high cost of living in Pennsylvania where can they go? To the Assembly; to the

Legislature of Pennsylvania? Where is the Legislature of Pennsylvania going to be in June, 1944? They are going to be out of session. Oh, I know the gentlemen on the other side don't want to listen to that. I know the gentlemen on the other side want to keep this bill down away from the light, but I say to you, Members of the House, after June, 1944 House Bill 816 puts the teacher where he or she was at the beginning of the present session of the Legislature. I challenge any member of the Republican party to disprove that statement.

Now, what do I say? I say we should include an amendment to provide for June, 1944 to June, 1945, sufficient time to enable the next Legislature in its wisdom to fix the present cost of living at that time. Now, what is so absurd about that? The gentleman from Lackawanna says "That's all right, I guess, but where are you going to get the money?" I will tell you where you are going to get the money. I will tell the Republican party of Pennsylvania you cannot serve the corporations of Pennsylvania and serve the school teachers. You cannot serve the corporations of Pennsylvania and pit them against the people of Pennsylvania.

Why does not the Governor have enough money for teachers? Because he says "I am going to abolish the bank share stock tax; I am going to abolish another tax." What does it amount to? I want the Republican leadership to listen to this closely; he says in his budget he is going to save the corporations fifty million dollars. Now, gentlemen, I would ask you this afternoon, which is it to be, fifty million dollars for the corporations of America in war time or fifty million dollars to the school teachers of Pennsylvania in order to save democracy?

The fight for democracy, gentlemen, is just as important at home as is the fight for democracy on the other side of the Atlantic. I say to you gentlemen for that reason alone House Bill 816 is not the proper legislation for the Republican party and their promise to the schools of Pennsylvania. To the gentleman from Lackawanna I would say, Your fight is in the front office. Say to the Governor of Pennsylvania, "Let us stop here; we have enough money for the school teachers of Pennsylvania if we do not abolish the tax on corporations."

I say to you gentlemen, if the tax to be abolished by the present administration were for the poor people of Pennsylvania then I would say there might be some doubt as to whether or not increased school aid could be had, but, gentlemen, even if the tax were upon the backs of the poor and even if the Governor would do as he said and go to the people and ask the people, I am sure the people of Pennsylvania would answer unmistakably that they would rather be taxed than to have their schools disappear from Pennsylvania.

But, gentlemen, we are faced with no alternative; this tax is upon the backs of corporations, people today who are making billions of dollars in Pennsylvania, and we are going to say to them "We are going to relieve you from the payment of taxes in order to steal from the school children of Pennsylvania their proper institutions."

The amendments I have to offer are only surrounded by one issue, are we to give the school districts of Pennsylvania what the Republican party promised in its campaign pledge or are we again to give them a legislative doublecross. The tax question and the reduction of taxes on corporations is intermingled with the school children of Pennsylvania and I say to the sponsors of this bill, send this bill back to committee. Go in and see the man in the front office who made the pledge and ask him if he is going to do as he says. Then come back to the House with a real bill, a bill giving the teachers of Pennsylvania something more to look forward to than starvation, worry and a great deal of aggravation. I thank you.

Mr. CORDIER. Mr. Speaker, I want to congratulate the gentleman from Philadelphia. Before we went into session today, in discussing what possibly might happen on the floor, the gentleman said it would take him about fifteen minutes to complete his debate. I congratulate him, he was only two minutes over it.

I think the gentleman from Philadelphia has rendered one of the greatest disservices to the teachers of Pennsylvania that possibly could be rendered on the floor of this House, and that is by the injection of petty partisan politics into this measure. This measure was not conceived in politics; its movement through the House was not conceived in politics; it is here for consideration in its present form by every Member of this House regardless of his party affiliation.

I have had thousands of communications from all over the state, and I have had no complaints as to the inadequacy of House Bill 816 except in one particular, and that is in the brackets between fifteen hundred dollars and twenty-five hundred dollars, and that question will be decided by this House later this afternoon.

As to the amendment of the gentleman from Philadelphia which says "to maintain the highest standard of war time working efficiency and to guarantee the public schools maximum contribution to victory in this war for national survival" I think that is an insult to the teaching profession of Pennsylvania. They do not have to be reminded to maintain a high standard of efficiency in the war effort. They are doing it, and they have been doing it in many many ways, and we should not remind them to do it again. As for the teachers of the Commonwealth being satisfied, as I said, I have had many, many communications. I want to read just one communication; it comes from the Brentwood Teachers Association, reading as follows:

> "Brentwood Teachers Association wishes to extend to you our deepest appreciation for your efforts in behalf of the teachers and the schools of Pennsylvania we sincerely hope that your proposed legislation particularly Bill 816 will be enacted into law and that you will continue your strong support for public education in Pennsylvania. Secretary Jean M. Bracken."

Most of these teachers are satisfied to a great degree with the contents of House Bill 816. They believe it is a good bill. They believe it is a sensible bill, taking into consideration the needs of these teachers, taking into consideration the budgetary requirements of this administration, taking into consideration the ability of the Commonwealth to pay without the imposition of any new taxation. The teachers of the Commonwealth need to be congratulated for the manner in which they brought their appeal to this House on this legislation. They have been kind and considerate and have compromised on many things, realizing the problems that many Members of this administration had in getting this bill in shape, and I am quite certain that when this bill passes this Legislature and is signed by the Governor there will be no complaints from the teachers of Pennsylvania.

Mr. Speaker, I would like to answer especially one question raised by the gentleman from Philadelphia, and that is that I am personally opposed to his amendments.

Mr. SOLLENBERGER. Mr. Speaker, I desire to ask the gentleman from Philadelphia, Mr. Levy, a few questions.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. LEVY. I will, Mr. Speaker.

Mr. SOLLENBERGER. Mr. Speaker, in the gentleman's preamble to his main speech he mentioned something about the amount of money his amendments call for. Will the gentleman again state what that amount is?

Mr. LEVY. I said approximately sixty-five million dollars, Mr. Speaker.

Mr. SOLLENBERGER. Well, that is within two million dollars, Mr. Speaker.

Mr. LEVY. I should say to the gentleman, Mr. Speaker, that even if my amendment would cost eighty million dollars I still know where to get the money without taxation.

Mr. SOLLENBERGER. I thank the gentleman for the added amount. I didn't think of that myself; he didn't have to answer that part. I would like the gentleman to tell the House again what number of years he included in the sixty-five million dollars, that is, school years?

Mr. LEVY. In my amendments, Mr. Speaker, I made provision that the school teachers throughout the Commonwealth should receive six hundred dollars from the time of the enactment of this bill until June, 1944, and five hundred dollars from June, 1944, until June, 1945, until the next Legislation considers the crisis.

Mr. SOLLENBERGER. How many school years, would that be?

Mr. LEVY. That would be, I believe, 1942, 1943, and 1944 up to—

Mr. SOLLENBERGER. That would be three school years?

Mr. LEVY. Or practically up to the middle of the 1945 school year.

Mr. SOLLENBERGER. That would be three school years, would it not?

Mr. LEVY. I believe it would.

Mr. SOLLENBERGER. If I mistake not, Mr. Speaker, I believe the record shows that the gentleman mentioned that it would be four school years, and I wanted to correct that error, if I am not in error, and show the gentleman that if it is three school years and his amount is 65 million dollars, that would be just about 22 million dollars per year increase in the school budget for the public schools beyond the present amount, which of course is some 80 million dollars this biennium, and approximately 71 million plus,—I think the emergencies run almost 80 million dollars for the public schools.

I believe if you consider that, you will find that the amount of added money in the gentleman's amendment would mean a considerable amount of money which we have had no promise to get.

Mr. Speaker, might I ask the gentleman another question?

The SPEAKER. The gentleman will proceed.

Mr. LEVY. Mr. Speaker, does the gentleman want me to answer the first question—well, go ahead.

Mr. SOLLENBERGER. Mr. Speaker, did the gentleman have any opportunity this week to ascertain the contents of the amendments that Mr. Wagner presented just a little while ago?

Mr. LEVY. I certainly did, Mr. Speaker.

Mr. SOLLENBERGER. I thank the gentleman, Mr. Speaker.

Mr. Speaker, the gentleman has exclaimed about the high standards in his amendment and objected to the standard that we set up in this bill. I just wonder who is to judge that this bill will not be at least a reasonable standard? I believe that I will put that in the form of a question for the gentleman to answer.

Mr. LEVY. I would say, Mr. Speaker, in answer to the gentleman from Blair, that the ultimate judge on whether or not this bill is adequate would be the school teachers of Pennsylvania, and we as their representatives certainly feel the pulse of our constituents, made up of the school teachers back home.

Mr. SOLLENBERGER. Mr. Speaker, in reply to the gentleman's last statement I might say that we have had a disagreement on this bill from one section of the state, if I recall, of the thirty-seven or thirty-eight hundred communications I have had, and that that has been limited to one district or the surrounding districts of that main district. Yet out of that same group we have had some very kindly written letters telling us that this bill is appreciated.

Now, Mr. Speaker, may I ask the gentleman another question?

The SPEAKER. The gentleman will proceed.

Mr. LEVY. Mr. Speaker, might I just interrupt the gentleman from Blair in his interrogation to say that if the gentleman from Blair continues to give answers then I am going to answer his questions and answers and I will say to the gentleman from Blair that regarding the communications received from the teachers of Pennsylvania that I have only heard one communication thus far that was read this afternoon in the House and that was the communication from the teachers of Brentwood, I believe. I don't know where Brentwood is located and I further don't know how many teachers are represented in this district of Brentwood. But I say to the gentleman from Blair if he is going to sound out public sentiment that he continue to produce letters of appreciation from all the school teachers of Pennsylvania, and I might add, Mr. Speaker, in answer to the gentleman's remarks concerning Brentwood that I do not know whether the teachers of Brentwood received House Bill 816, I don't know whether they know what House Bill 816 is, I don't know whether many teachers of Pennsylvania know what is contained in House Bill 816 until we debate this bill on the floor of the House.

Mr. SOLLENBERGER. Mr. Speaker, may I make a statement in reply to the gentleman from Philadelphia?

The SPEAKER. Will the gentleman from Blair please be reminded that he is interrogating the gentleman from Philadelphia, and the Chair requests both gentlemen to confine their remarks to the amendments to Section 1 of this bill.

Does the gentleman wish to interrogate the gentleman from Philadelphia further?

Mr. SOLLENBERGER. Mr. Speaker, I would like to ask the gentleman one more question.

The SPEAKER. The gentleman will proceed.

Mr. SOLLENBERGER. Mr. Speaker, did the gentleman have an opportunity to read House Bill 933, the long range equalization school program bill?

Mr. LEVY. Mr. Speaker, in answer to the gentleman I might say that I have hastily referred to House Bill 933, although my legislative duties have not yet come to that point. I have read House Bill 933 as a Member of the Committee on Education.

Mr. SOLLENBERGER. Mr. Speaker, I thank the gentleman.

Mr. LEVY. Mr. Speaker, I desire to interrogate the gentleman from Lackawanna, Mr. Cordier.

The SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. CORDIER. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, will the gentleman from Lackawanna care to debate the proposals that I have made relative to supplying adequate moneys for the school teachers of Pennsylvania?

Mr. CORDIER. Mr. Speaker, I think we have debated that, or rather the gentleman has debated it.

Mr. LEVY. Mr. Speaker, does the gentleman from Lackawanna desire to debate that phase of the bill?

Mr. CORDIER. Mr. Speaker, the gentleman may state any position he may have on this or any other phase of the bill. He has the privilege to do so. If I disagree I shall certainly say so.

Mr. LEVY. Mr. Speaker, I want to remind the gentlemen of the House that the gentleman from Lackawanna in his debate has not covered that phase of the bill. I would like to ask the gentleman from Lackawanna, if all the teachers of Pennsylvania have so resoundingly come out in approval of the bill, and if he thinks House Bill 816 is an answer to the Republican platform of 1942, then why have twenty-five percent of the teaching profession of Pennsylvania left the school system of Pennsylvania to date?

Mr. CORDIER. Mr. Speaker, House Bill 816 is an honest attempt to keep the teachers in the system and to maintain a good standard of education in the Commonwealth, and it is the first honest attempt of its kind in many, many years.

Mr. LEVY. Mr. Speaker then I would inquire of the gentleman from Lackawanna whether in his opinion, his honest, sincere opinion, knowing something about the make-up of the school system in the Commonwealth, whether he thinks House Bill 816 without amendment will stop the departure of twenty-five per cent of the school teachers every three months from the schools of Pennsylvania.

Mr. CORDIER. I cannot answer that Mr. Speaker. The gentleman said without amendments, which amendments?

Mr. LEVY. Mr. Speaker, without amendments offered by myself and other amendments making the bill more practical than is the original bill.

Mr. CORDIER. Mr. Speaker, House Bill 816 in its amended form presently, and perhaps with one more amendment to be offered, in my opinion will very definitely go very far in keeping the teachers in Pennsylvania in their jobs.

Mr. LEVY. Mr. Speaker, is the gentleman ready and willing then to debate on behalf of the Republican membership of the House the charge that they cannot give adequate relief to the teachers because they are going to give adequate relief to the corporations of Pennsylvania.

Mr. CORDIER. Mr. Speaker, that is a fraud and a fallacy, and it is a red herring drawn across this particular bill, and perhaps as shall be proven later the gentleman will have convicted himself as a fraud and a fallacy in his debate on this bill. There is actually no necessity for debating that question at this time. If the gentleman wishes to make a statement, as he has already done on this bill, if he has any further remarks to make, any red herrings that he desires to draw across this bill, he may so do. I will sit quiet and listen to him very courteously but if he says something to which I disagree I will be on my feet to answer him.

The SPEAKER. Has the gentleman finished with his interrogation?

Mr. CORDIER. Yes, Mr. Speaker.

Mr. LEVY. Then, Mr. Speaker, I assume from the last statement the gentleman made that he is in agreement that if corporations were to sacrifice a little tax reduction that is about to be made on behalf of the administration, then there would be sufficient and adequate moneys to take care of the inadequate school teacher system in Pennsylvania.

Mr. HARE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Levy.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. LEVY. I shall, Mr. Speaker.

Mr. HARE. Mr. Speaker, was the gentleman a Member of this House in 1937?

Mr. LEVY. I was, Mr. Speaker.

Mr. HARE. In my conversation with the gentleman from Philadelphia we were in agreement that there was to be no politics injected into this matter, is that right?

Mr. LEVY. Mr. Speaker, in answer to the gentleman from Somerset, if we are to debate a bill that is sponsored by the Republican party, as an answer to the campaign pledge, which campaign was strictly politics, and not mention politics, then I don't understand how we can debate it.

The SPEAKER. The Chair would again admonish both Members to remember that we are on the question: Will the House agree to the amendment to Section 1?

Mr. HARE. I appreciate that, Mr. Speaker, but I would also like to remind the House that considerable latitude was allowed the gentleman on the other side when he made rather serious accusations against the membership on this side of the House, and I refuse to stand here charged with fraud, when the man on the other side stands convicted by his own words as the biggest and most insistent fraud according to the record made this afternoon, and I will read now from the record of the House Journal of 1937—

Mr. LEVY. Mr. Speaker, the gentleman had better read it.

Mr. HARE. I am going to, Mr. Speaker.

Mr. LEVY. Go ahead, Mr. Speaker.

Mr. HARE. Mr. Speaker, I hesitate to speak, but the words I must use because of the attack made by the gentleman from Philadelphia, Mr. Levy—and I know in my heart that he does not speak for all the membership on the other side, but the charge he made is a most serious one. He says we are guilty of fraud on this side and he charged the Republican party with such.

Mr. Speaker, Mr. Levy cannot rise and point to one page in Pennsylvania's history where the Democratic party as such has ever given the school teachers, when they were in control of all branches of Government in this State, an increase in salary. In 1941 we granted an increase with the majority on their side of the House, and we on this side went along with it whole heartedly. Our Governor found the money to pay the bill, but in 1937, when our three branches of government were practically in control of the now minority group, they passed the Horting Bill, the chain store tax, and the gentleman from Philadelphia has stated that some of our acts have come back to haunt us. Well, that bill has made a pretty sick ghost on the floor of this House, and with the permission of the House I would like to turn to the now yellowing pages of the 1937 Journal, when those two illustrious gentlemen, Mr. Herbert Cohen, the then Majority Floor Leader, and Mr. Turner, the Republican floor leader, was discussing the measure for their respective parties.

Mr. Turner arose to amend the bill offered by the majority side. I am quoting from the Legislative Journal as follows:

> Mr. HERBERT B. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Turner.
>
> The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?
>
> Mr. TURNER. I will, Mr. Speaker.
>
> Mr. HERBERT B. COHEN. Mr. Speaker, I desire to question the gentleman from Delaware as to the effect of his amendment. Would the amendment that the gentleman has offered make the appropriation for the increase of salaries to teachers of the fourth class school district a general fund obligation?
>
> Mr. TURNER. It would, Mr. Speaker.
>
> Mr. HERBERT B. COHEN. Mr. Speaker, would the amendment that the gentleman has offered make that general fund obligation an obligation of the Commonwealth irrespective of whether or not there had been sufficient tax moneys collected for this particular function of the Commonwealth?
>
> Mr. TURNER. Mr. Speaker, I do not believe that an appropriation can make funds available unless there have been sufficient taxes levied and collected, but I think what you mean to say is, would the general fund be liable for this money that is appropriated to fourth class school districts. That is correct, it would.
>
> Mr. HERBERT B. COHEN. Mr. Speaker, would not the contemplated amendment of the gentleman make that an obligation of the general fund irrespective of whether or not we pass additional tax legislation to provide funds necessary for this particular function?
>
> Mr. TURNER. Mr. Speaker, that has been the experience in the past. You have a deficiency appropriation bill or did you have, and it was passed by the House, to provide for $6,900,000 for the public schools for moneys mainly expended under the Edmonds Act.
>
> Mr. HERBERT B. COHEN. Mr. Speaker, well then the amendment would destroy any connection with this appropriation to teachers of the fourth class school districts, any connection of that appropriation with the act to raise those funds, would it not?
>
> Mr. TURNER. Mr. Speaker, that is correct. I believe and I think that most of you will agree with me that it is a very dangerous principle to make school appropriations dependent upon some special fund, which may fail. We had one sample of that a few years ago.
>
> Mr. HERBERT B. COHEN. Mr. Speaker, if the act referred to in section three of House Bill No. 1978 is not passed, or if the act is declared unconstitutional upon final passage, would there not then be a deficit in the general fund to the amount that is appropriated by this act?
>
> Mr. TURNER. Mr. Speaker, that depends to a great extent on the gentleman's interpretation of a deficit. I think that I recall that he and I had some debate not long ago, and under the figures which the Governor has produced there is to be a three million dollar surplus at the end of the biennium. I think that is more than they anticipated to secure under the chain store tax.
>
> Mr. HERBERT B. COHEN. Mr. Speaker, would the gentleman have any further suggestion as to how these moneys could be raised without the particular tax referred to in section three of this bill?
>
> Mr. TURNER. Mr. Speaker, I do not think that we are dealing with that problem at all. I think that is begging the issue. Whatever we have determined we have to have, you have already put in bills and I presume will put in others when you find out just how much you need to balance the budget. I might say, if I may, Mr. Speaker, in reply to the gentleman from York that since the beginning of this session it has been the opinion of the Republican members of this House, as evidenced by bills which they introduced, that teachers in the fourth class school districts should have a greater amount of pay. I recall very particularly that the gentleman from Indiana, Mr. Stewart, at the very beginning of this session, in fact before the session opened, showed me a bill for that purpose. Now, if we believe that the teachers are underpaid, and if the Governor now states that he believes that the teachers in the fourth class school districts should have more money, then I do not believe we ought to tie it in with any particular tax.

Mr. Speaker, I delete a portion of the record here for the purpose of not expending any more money on the printing bill of the State that has already been incurred.

Further down in the record Mr. Turner says:

> "It is all right to stand here on the floor of the House and pass a bill which you think is of doubtful constitutionality, and say to the teachers of Pennsylvania, 'Well, we are all for those poor teachers down in the fourth class school districts, we think they are underpaid, it is a shame to the Commonwealth' and then to say, 'We will give you this bill, but if this act should be declared unconstitutional you will have to go without that increased pay until some later date.' I have never believed that the schools and these appropriations should ever be tied up with any special fund because of the dangers created there where the tax may fail, where reduced taxes may come at a time when the schools have increased their expenditures, expecting that they will receive a normal amount of tax, and thereby the schools and the school teachers in Pennsylvania suffer. I think it is absolutely false economy, I think it is absolutely false budgeting and I think you are only kidding yourselves when you start on that sort of a program. I believe if you pass the

> chain store tax, and you think that is a proper tax and it should become a part of the tax raising measures in Pennsylvania, to provide enough money for all of the purposes of Pennsylvania, or if it fails, then we will have to take care of it in some other way, as we have heretofore done and as we are doing during this session for our deficiency appropriations.
>
> "It seems very strange to me that every time we offer some suggestion from this side of the House that it immediately meets with opposition on the other side of the House. If we today say that we think there should be no appropriation made from those special funds to the schools, then you oppose it. If tomorrow we say there should be an appropriation from a special fund, then you argue it on the other side. I think this is one of the instances where we ought to get down to logical common sense, where there should not be any question as to whether the amendment comes from a Republican or not. The pure question here is, do you believe that the school districts in the fourth class districts ought to have more money? If they ought to have more money then we will have to find enough money to balance the budget."

On the question of the passage of the amendments offered by the gentleman from Delaware, which would have taken the money from the general fund and assured the teachers of Pennsylvania a pay raise which was so facetiously planned, the gentleman from Philadelphia, voted "no" in a clear voice, and thus by his own act pledged himself to unconstitutional legislation and tore from teachers the little red apple that was handed out to them.

Mr. Speaker, the gentleman from Philadelphia well understands the problem of state administration. We on this side recognize our responsibility, and I want to assure the gentleman from Philadelphia and the gentlemen on the other side that when this act becomes law the money will be found. All the legislation we pledged ourselves to we intend to keep.

Nine weeks have gone into the preparation of this bill. We agree that it is stop-gap legislation. It is not good legislation but it is an emergency act, and we intend to meet the problem fairly and squarely. It is all well and good in the larger cities where they are drawing pay in the three thousand dollar brackets, to speak about how they shall get by at the end of the month in meeting their victory taxes and in meeting any additional worthy taxes that we must face today, but I can easily see that in offering these amendments that would give an increase of eleven hundred dollars in two years to every school teacher in Pennsylvania, a one hundred per cent increase, which is quite an increase to those teachers earning one thousand dollars a year but with reference to the teachers making six or seven thousand dollars a year the gentleman from Philadelphia would pile eleven hundred dollars upon him. The gentleman misinterprets the meaning of the bill. This is a cost of living bill. Down in the rural county where I come from the teachers have often been getting up at four o'clock in the morning and driving twenty-five miles up the mountain to the little red school house. Yes, we still have them in Pennsylvania. She is not only the care taker of the children but she is the custodian and the janitor. She chops wood and carries coal and washes the windows. For years the state of Pennsylvania has utilized the rural districts of the state in the matter of salaries. For years that gray haired old teacher in that one room building has been receiving a paltry eighty-three dollars and fifty cents a month. That is the average salary in those little rural fourth class districts, eighty-three dollars and fifty cents. Those are the districts that I am interested in. The gentleman from Philadelphia has cried out to the people of Pennsylvania! Let us look at the matter as it now stands. Sirloin steak in Philadelphia is under a ceiling price and it is under the same ceiling price for us in the rural sections, and they are required to pay as much for those foods as the highest paid teachers in the Commonwealth of Pennsylvania. I have spent ten years of my life in public education. I feel if there is one field in which I am a little trained it may be that field. I do not propose to set myself up as a tax expert or a budget expert, but I learned something a long time ago, in which Mr. Levy a few days ago found some humor. In my younger days my father taught me to cut the suit to fit the cloth. If I cannot afford to buy a one hundred dollar suit as the gentleman from Philadelphia might, then I'll buy a fifty dollar suit, if it is within the range of my material means.

By this bill we hope to give those in Pennsylvania who need it most a cost of living increase. We have attempted to do that honestly, and I resent very much being charged with fraud on the floor of this House. Gentlemen of the House, I ask you to consider carefully our amendments. I have read the amendments of the gentleman from Philadelphia very carefully, I assure him. I feel that they would destroy the purpose of our bill and I ask the membership of the House to vote it down.

I, too, have received many communications. He says he does not know whether the teachers know the contents of the bill or not. I want to assure the Members and to assure him that the teachers of this Commonwealth do know the contents of the bill. They have been following the public press avidly, and last Saturday in Pittsburgh, in discussing the various portions of the bill I want to say that it was unanimously indorsed by the Western Pennsylvania Convention District, and of the 683 teachers in my county, 584 of them have written, praising the membership of the Legislature for at last recognizing the needs for those who really need help. Don't forget, gentlemen, it takes the same qualifications in Pennsylvania by law, fixed by you, to teach school in that little red schoolhouse as it does in the finest marble school building in Philadelphia. The requirements are the same, gentlemen, but the disparity has been great. This bill does not cure all ills, nor do we propose to have it do so, but we on this side are supporting what we think is sound legislation and good legislation.

Mr. LEONARD. Mr. Speaker, I do not want to interrogate anybody, nor do I care to waste a minute on technicalities. I am interested pretty much, though, in seeing that the teachers in Pennsylvania receive a salary commensurate with the position they hold. Who is this teacher, and what is the responsibility of a teacher? The teacher is bringing up and training our America of tomorrow; the people who will be taking our places in this House in the future. Naturally, having that kind of responsibility, in my opinion we should have the best teachers that are at hand, and to get the best teachers you must pay a decent wage.

Mr. Hare of Somerset County stated in his remarks that the teachers get eighty-three dollars. I didn't know it was that low for teaching school, cutting their own wood, building their own fire and cleaning windows. Well, I am a graduate of the college of hard knocks. I have been battling all my life to live as near as possible in keeping with the American way. That has been my life, and I really for the life of me cannot understand why or how this teacher can get along on that salary, but the insult to intelligence is the fact that the rich, big state of Pennsylvania is the employer, and that same state pays its Governor eighteen thousand dollars a year. And what does he do outside of saying "no" and "yes" to his secretary?

We pay our Cabinet Members ten thousand dollars a year, there's some of them I understand get twelve thousand dollars. I believe in the American way. We have spent some time over on our side this afternoon, and I believe the sponsor of the bill stated that the bill had been under consideration since the beginning of this session. And then we come in here in the face of the high cost of living, in the face of the fact that the workers, especially in the war production plants, are receiving the highest wages they ever received, and we quibble about paying teachers, who are going to educate our children, a reasonable wage. I do not agree that any of the bills are sufficient. I think that the teachers should be paid the highest possible salary. Why? Who pays this bill? Is this coming out of your pocket or my pocket? Yes, it is coming out of all our pockets. And what kind of American citizens are we that we are not willing to pay our employees a proper wage, a wage that will keep the best teachers on the job.

I understand that some of the teachers have left to go into war plants where they can make three or four times as much as they were making as teachers. Who is going to take that teacher's place? A first class teacher, or an inferior teacher? Just so you have somebody up there directing the children in their abc's. We will pay the bill later on if we make the mistake of having the wrong teacher in charge of our children. So I say to you that we should not waste our time on this. I know that we want the teachers to have a higher wage. I know that the teachers want us to do something about it. Let us do it and do it in the American way.

Mr. COHEN. Mr. Speaker, I do not think that the question of the school teacher and the school children is a political question. I think possibly a misinterpretation has been placed upon this whole problem by getting around to the point where we use the words "politics" and "school teachers." I think the two words cannot agree in the same sentence.

I think the point that was meant to be conveyed was that there was a lack of execution of statesmanship by the majority party in failing utterly to make provisions for increases to the school teachers in compliance with pledges made by the Governor in the campaign. If that can be taken as a sufficient answer to the charge that politics are being drawn across the trail as a red herring, I should like to let it rest at that, but, Mr. Speaker, we have had injected into the situation another matter. The policy of the Democratic party in relation to school teachers has been put at issue, and I should like to confine myself to that and to that only.

When the gentleman from Somerset states that the history of the Democratic party of Pennsylvania has been never to give the school teachers an increase, might I inform the gentleman from Somerset that in the past 58 years, I believe, that the Democrats have been in control of both Houses on both sides of the Legislature and a Democratic Governor for two of those years, the years of 1937 and 1938.

I also would remind the gentleman that in those days the other side of the House vigorously protested and fought against the imposition of any taxes, special emergency taxes to take care of people who are in my estimation more deserving of attention in time and trouble than even the school teachers, and they are the poor people of Pennsylvania, those who through no fault of their own were compelled to come to their government for aid in the form of relief. That, Mr. Speaker, was the paramount issue of the few years preceding 1937, and in 1937 had run almost to its apex in the amount of money that had to be raised for relief.

At that time the teachers would have come with ill grace asking for more money until such time as we had found the money to permit the people to eat and to feed their children so as to be able to walk to school to be taught by our school teachers.

The Democratic Party met that challenge despite vigorous opposition on the other side, and the veterans in the House here will remember those battles. But, Mr. Speaker, we did something for the school teachers the only time we had a chance to do it, and in 1937, if the older Members will remember, this House was resolved into a committee of the whole. We spent five or six hours in the committee of the whole, and the question of teachers' tenure, the magna charta for the teachers of Pennsylvania, was ably debated on both sides, by Herbert Cohen of York on the Democratic side and the veteran from Indiana County, Mr. Stewart on the Republican side. The final conclusion was that the teachers did get their tenure act, but since then, Mr. Speaker, the problem has been one for the other side. They have been and still are in control of the state government. It was they who made the free, voluntary pledge and promise in 1942; it was they through their Governor who said in his budget that there was nothing for teachers. It was the Democratic party here on the floor, in the person of myself several weeks ago who stated that the teachers should be taken care of, that the politicians had been taken care of and it was about time that the non-political workers should be taken care of, and it was at that point that the Governor found a way to get some money.

We still do not know how he is going to get it, because he did not take us into his confidence, but the gentleman from Somerset somehow let the cat out of the bag when he said, "If it is not enough, don't you worry, we are going to get it."

And if we are not in session, Mr. Speaker, where are we going to get it? Is the Governor to be given carte blanche to get the money where he wants to—from the Motor License Fund, the Liquor Control Fund or some other source? Will he have the opportunity to do that? If it is O. K. with the majority and with the sponsors of this bill, it may be advisable to give the Governor that power, if the emergency comes to give those people more money and we are not here to give it to them. But it is the job of the minority party at this time to take the time to study and safe guard the sixty thousand non-political public servants. This is the time to do it while we are in session. Now is the time to demand fair treatment for them.

I agree that the gentleman from Somerset and his colleagues who worked on this bill worked hard. I know they worked very hard. I have stayed over on Wednesday night and Thursday on many occasions and found them performing their duties after everybody else had gone home; found these gentlemen at ten or eleven o'clock at night dragging their weary bodies about their tasks in connection with this legislation, and I want to congratulate them for their work. I think they deserve all of our thanks but I think the trouble is that when they got to a certain point the door was slammed in their faces, and Mr. Speaker, I think that we should all get together and put our shoulders against that door and try to open it again.

Mr. SARRAF. Mr. Speaker, in fairness to yourself and to the Members of the House, the latitude extended to the speaker has been very well taken, but I think we are getting away from the amendments that are before the House. I wish the Chair would rule on that and get over with this debate. Only the amendments are before the House, not what went on in 1937 or any political issue. We back here appreciate the debate and enjoy it, but I think it ought to be limited to the amendments that are before the House.

The SPEAKER. The suggestion of the gentleman from Allegheny is well taken. The Chair will insist that further debate be confined to the amendments to section one.

Mr. LEVY. Mr. Speaker, I don't want to take up any more time. I only want to say to the gentleman from Somerset that if he raises the issue of red herring, that is a complete departure from the bill at hand—

POINT OF ORDER

Mr. BRETHERICK. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. BRETHERICK. Mr. Speaker, the gentleman is not debating the amendments to this bill.

The SPEAKER. The point of order is well taken. The Chair insists that all debate be limited to the amendments to section one.

Mr. LEVY. Mr. Speaker, I will debate the amendments. I want the membership of the House to know that the proposal and the offer of amendments is not a red herring. If it is, then the answer by the gentleman from Somerset is a shark. I want the gentleman—

The SPEAKER. The gentleman will yield. The gentleman from Philadelphia well knows the rules of this House, and the Chair would again caution him to confine his remarks to the question before the House.

Mr. LEVY. Mr. Speaker, I would say to Members of the House that I have offered reasonable amendments. I have offered amendments that should be inserted in the bill in conformity with the Republican party's pledge, the Governor's pledge, and the pledge of each and every Republican Member of the House. If you refuse to insert these amendments you say to the teachers of Pennsylvania, "We didn't mean what we said." The Members of the Republican majority have not yet answered the question, "Are you going to serve the corporations of Pennsylvania or the teachers of Pennsylvania?"

Mr. O'CONNOR. Mr. Speaker, I desire to interrogate the gentleman from Lackawanna, Mr. Cordier.

The SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. CORDIER. I shall, Mr. Speaker.

The SPEAKER. The Chair requests that the interrogations be limited to the amendments to section 1.

Mr. O'CONNOR. Mr. Speaker, section 1, page three, lines ten to seventeen of the bill, that part written in italics as the bill is in our calendar, provides that any teacher who has received an increase in salary in excess of this bonus that he is to receive, that bonus is to be subtracted from the increase that he would receive. Has that been taken care of in the amendment that has been offered?

Mr. CORDIER. The amendment offered by the gentleman from Schuylkill, Mr. Wagner, makes it discretionary with the boards so to do.

Mr. O'CONNOR. I thank the gentleman.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section as amended?

The amendments offered by Messrs. Modell and Cullen were read as follows:

Amend Sec. 1, page 1, line 3, by inserting after the word "teachers" the following: "and other school district employes."

Amend Sec. 1, page 2, line 2, by inserting after the word "forty-four" the following: "and for the same period of time, the salaries of all other regular employes of each school district of the Commonwealth are hereby increased by an amount equal to fifteen per centum of the amount received at the time of the effective date of this act."

On the question,

Will the House agree to the amendments?

Mr. MODELL. Mr. Speaker, Mr. Cullen who is my colleague representing the same district as I in Philadelphia and I have offered these amendments to this House, because in reading the present bill we find that a group of people who should have been taken care of have been neglected.

Certainly we are in full sympathy with any legislation that will give the teachers of this Commonwealth an increase in pay to compensate them for the rising cost of living, but we are also quiet concerned, Mr. Speaker, when we find that those other employees in the school system are given no consideration whatsoever in this bill, because we feel that this is the bill that should contain a provision which protects them. Certainly those employees such as clerks, janitors, and all the other employees of the school system who make up that school system have the same rising costs to face today; they have the same fixed salary as the teachers; they are not protected in any manner whatsoever.

Mr. Cullen and I tried to get the facts in this case so that we could present to this House those figures to be worked upon. We called the Department of Public Instruction and learned that there is no department in this state which has the statistical figures as to the employees other than professional employes, the teachers. So we did the best we could under the circumstances and obtained the information from the Secretary of the Philadelphia School Board and from the Pittsburgh School Board, and our figures it is true, are very general therefore. In Philadelphia we learned—

Mr. LOVETT. Mr. Speaker, I ask that the House be in order. These amendments are very important to me, and I noticed that the House was very orderly during the debate on the other amendments. I think we should be given the same courtesy during the debate on these amendments.

The SPEAKER. The gentleman from Westmoreland desires the House to be in order so as to be able to hear the debate of the gentleman from Philadelphia, Mr. Modell. The Chair agrees that the House should be in order. We owe that courtesy to every Member who takes the floor. The gentleman will proceed.

Mr. MODELL. Mr. Speaker, I am not so much concerned that the Members of this House listen to me personally, but I do feel that the amendments offered here are most important to a large group of people in this state who are represented by every Member of this House. In Philadelphia I have learned that there are possibly two thousand non-professional employes, and in Pittsburgh approximately twelve hundred such employees. I have learned further than an increase as asked for in this amendment of fifteen per cent over their present wages would approximate six hundred thousand dollars a year in Philadelphia and between three hundred thousand and three hundred fifty thousand dollars a year in Pittsburgh.

Mr. Cullen and I, estimating on those figures, believe that the cost should not be more than between nine and ten million dollars for the biennium to take care of these people.

Since we have gone through an extended debate on the other amendments, Mr. Speaker, I certainly feel that the Members of this House need hear no more except that these amendments are important, that they affect a great number of people and that the cost is not too severe upon this state.

Mr. PAUL L. WAGNER. Mr. Speaker, I ask the Members of the House to vote against this amendment, and I do so because I have very serious doubts of their Constitutionality. I certainly know that it is not the practice of the Commonwealth to pay the salaries or wages of janitors and other school employes. If we continue to build up the cost of this thing we will get to the point where neither Mr. Cohen nor Mr. Levy will know where the money is to be found.

Mr. CULLEN. Mr. Speaker, this is my second session down here. I have heard a good deal about the school teachers. The school teachers receive a certain portion of money. We are now speaking for an unfortunate group whom we are attempting to take care of and who do not have the organization that can high pressure you Members of the Legislature to give justice and to give them the war bonus that will at least cover the increased cost of living. I think these people that we are trying to take care of are more justified in receiving this increase than the school teachers on whom you have been spending so much time in debate here today. I am going to make my remarks short. As far as the Constitutionality of the act is concerned, we are only given a stipulated amount of money to expend, fifteen per cent. It is a war measure. If you can give a war bonus to politicians and school teachers I say to you why isn't it Constitutional to give it to other employees of the school system?

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Lovett and Mr. Modell

Messrs. Cullen, Burns and Skale asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—68

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Green,
Haberlen,
Hamilton,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Pettit,
Polaski,
Powers,
Reese, R. E.,
Regan,
Reynolds,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

NAYS—119

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Ewing,
Flack,
Fleming,
Foor,
Fox,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Readinger,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

So the question was termined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section as amended?

The amendments offered by Messrs. Lee and O'Brien were read as follows:

Amend Sec. 1, page 2, lines 22 to 29, both inclusive, by striking out all of said lines.

Amend Sec. 1, page 3, lines 1 to 5, by striking out all of lines 1 to 4, both inclusive, and the following "lars ($200)" in line 5, and inserting in lieu thereof: "two thousand four hundred ninety-nine dollars ($2,499), the amount of the increase for said period shall be four hundred dollars ($400), to those who for said school year received salaries at the rate of two thousand five hundred dollars ($2,500) and more but not in excess of three thousand four hundred ninety-nine dollars ($3,499), the amount of the increase for said period shall be three hundred dollars ($300):"

On the question,
Will the House agree to the amendments?

Mr. LEE. Mr. Speaker, these amendments affect only those teachers in the group above $1600. There is a slight revision upwards in their pay in order to bring it more in line with the payments provided for those in the lower brackets.

In urging the adoption of this amendment I would like to point out that their chief virtue is in the fact that it requires very little additional money, $1,300,000.

Mr. O'BRIEN. Mr. Speaker, as my colleague from Philadelphia has pointed out, in co-sponsoring these amendments, there is no great difference between the money offered under House Bill 816 and the suggested amendments offered by the gentleman from Philadelphia, Mr. Lee and myself. This is a sincere and conscientious effort to correct a most inequitable distribution of the moneys this bill has to distribute. I might say frankly, that originally when the gentleman from Philadelphia and I were interested in these amendments, both being members of the Education Committee, we were more or less moved by the thought of having a more equitable distribution to the city of Philadelphia, but upon delving into the matter we discovered that this helps in a small way some 17,000 teachers throughout the Commonwealth of Pennsylvania, and only approximately 5000 of those 17,000 teachers come from Philadelphia.

Let me for the information of the House tell you and the members just what these proposed amendments will do. Under House Bill 816 in its present unamended form those teachers making from $1,000 to $1,099 receive $600. Those from $1100 to $1499 receive $500. Those getting from $1500 to $1999 receive $400. Those from $2000 to $2999 receive $300. Those from $3000 to $3499 receive $200. Now, Mr. Speaker, our proposed amendments change from the $1500 class all the way up to and including the $2499 class, each getting $400, and from the $2500 to the $3400 class they receive $300. As a result of these proposed amendments there would be a necessary expenditure of slightly more than $1,000,000. However, it would afford, as I say, a more equitable distribution.

Let me read into the record the cities other than Philadelphia affected by these proposed amendments: the city of Allentown, City of Altoona, Bethlehem City, Chester, Easton, Erie, Harrisburg, Hazleton, Lancaster, Lower Merion, McKeesport, New Castle, Reading, Scranton, Upper Darby, Wilkes-Barre, Williamsport and York. Let me also say as an illustration that the city of Bethlehem alone under these proposed amendments would receive an additional $25,000.

Mr. Speaker, in urging the adoption of these amendments I am not striking a political note. As a matter of fact, I want it considered strictly as a non-partisan measure, and for that reason these amendments were co-sponsored by a Republican member from Philadelphia and myself. I also would like to read into the record a letter received from the Altoona School District of Pennsylvania in response to a letter addressed to them by the Secretary of the School District from Philadelphia. That letter is as follows:

> "This will acknowledge your letter of March 24, enclosing a copy of your letter sent to the Representatives in the Legislature from Philadelphia, concerning amendments to House Bill No. 816.
>
> "We think your suggested amendments are a great improvement to the schedule as it is at present in Bill 816. We will contact the Members of the Legislature from this District over the weekend and ask them to support the Bill with the amendments as they will be submitted to the House on March 29."
>
> Yours very truly
> s/R. L. THOMPSON
> Secretary."

Mr. Speaker, I plead for the adoption of these amendments, and I ask for a roll call.

Mr. PAUL L. WAGNER. Mr. Speaker, what I have to say I have to say to the majority of the Educational Committee and the sub-committee which has struggled in just the manner Mr. Cohen described to accomplish this bill. Personally it would be very gratifying to me to go along with this amendment. I know it would please a lot of people who live near me and who are good friends of mine, but I sincerely believe and the committee believes that we are dangerously imperiling this bill. I will be up again in fifteen minutes to talk about a couple of million dollars, and this will come well over one million dollars in additional costs. We have no reason to believe that any such amount of money is going to be available. I heard the gentleman state and he gave us information to the effect that the teachers in certain towns and cities of the Commonwealth are in favor of more money. There is something radically wrong when the school teachers are not in favor of more money. If there is any time the question would be put up to me how much salary I should receive, I would be in favor of getting more, but, we have to decide where we are to start and where we are to stop. I do not feel that a teacher earning over $3500 is in any particular distress, even though, like the rest of us, it is difficult to make ends meet at times. I have a letter in my hand which came in this morning from a friend of mine who says:

> "According to the Cordier-Hare Bill Number 816, there is no provision made for salary increases to educators earning at present above $3,499.
>
> Do you not think that it would be fairer and more equitable to provide in this measure an increase of $200 for those earning $3,000 or above, instead of restricting it to $3,499.
>
> The high cost of living, the war, etc. affects those earning in the higher brackets as well as those in the lower brackets.
>
> Thanking you for any consideration given, I remain."

A certain amount of money will have to be provided to take care of any increases and that is hard to get without additional taxation. The school teachers do not want additional taxation. There are school teachers in this House this afternoon who would raise their hands to high heaven if we would talk about additional taxes which the taxpayers would have to pay, if they were told that they would have to be levied for the specific purpose of paying higher school teachers' salaries.

We have letters from school teachers all over the state to the effect that they are against the levying of any additional taxes. I told the gentleman yesterday who just spoke that the people representing the teachers in those districts which he mentioned have made the statement that we have done a great piece of work and they are very happy about it.

I would ask for the preservation of the scale and the equity of this legislation, that we by all means maintain the bracket as it is now and vote down the amendments proposed.

Mr. O'BRIEN. Mr. Speaker, I would like to point out for the information of the House that under House Bill 816 those people who are now getting one thousand dollars, with this increase that they are getting, would be getting a thirty per cent increase, whereas those who are making three thousand dollars are only getting a five per cent increase. That on its face does not seem equitable at all. I would like to point out further that most of our teachers are in the upper brackets. Yes, we in the city of Philadelphia, not taking in the other twelve thousand teachers that are going to be helped by these amendments, contribute almost forty per cent into the treasury of the state throughout the state of Pennsylvania. Yet here in the division of these moneys being contributed we are receiving only five per cent. That on the face of it does not seem equitable at all. This in a small way corrects this and it is a reasonable request. There is nothing outlandish in it, and the cost will be only one million two hundred thousand dollars. It is reasonable and deserves the support of all of the Members of the House.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. O'Brien and Mr. Kolankiewicz.

Messrs. O'Brien, Duffy and Hersch requested a verification of the roll.

The roll was verified and was as follows:

YEAS—86

Auker,
Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Boyd,
Bradley,
Brigerman,
Brunner, P. A.,
Burns,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Corrigan,
Costa,
Croop,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Freed,
Gorman,
Grant,
Green,
Haberlen,
Hamilton,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Irvin,
Kirley,
Kitchen,
Kolankiewicz,
Lane,
Lee,
Leonard,
Levy,
Livingstone,
Longo,
Lovett,
Maxwell,
Menna,
Mihm,
Miller,
Mintess,
Modell,
Mooney,
Moran,
Munley,
Murray,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Regan,
Reynolds,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tahl,
Tate,
Thompson,
Tiemann,
Trent,
Verona,
Walton,
Weiss,
Welsh,
Wright,
Yester,

NAYS—98

Barton,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Cadwalader,
Calvin,
Cook,
Cooper,
Cordier,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
James,
Jones,
Kennedy,
Kline,
Krepps,
Kowalski,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Lyons,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Mock,
Moore,
Moser,
Muir,
Nowak,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Watkins,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

So the question was determined in the negative and the amendments were not agreed to.

(Following the verification of the affirmative roll and preceding the verification of the negative roll.)

Mr. O'BRIEN. Mr. Speaker, how is the gentleman from Philadelphia, Mr. Campbell, recorded as voting.

The SPEAKER. The gentleman is recorded as voting in the negative.

Mr. CAMPBELL. Mr. Speaker, I voted "aye."

PARLIAMENTARY INQUIRY

Mr. WALTER E. ROSE. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Cambria will state his question of parliamentary inquiry.

Mr. WALTER E. ROSE. Mr. Speaker, was not the affirmative roll verified?

The SPEAKER. The affirmative roll was verified.

Mr. WALTER E. ROSE. Then, Mr. Speaker, can the name of Mr. Campbell be added at this time to the affirmative roll.

The SPEAKER. It cannot be added.

Mr. CAMPBELL. Mr. Speaker, I voted "aye." I don't care what anyone else says.

The SPEAKER. The Chair is unable to make any other decision since the affirmative roll has been verified.

QUESTION OF INFORMATION

Mr. O'BRIEN. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. O'BRIEN. Mr. Speaker, Mr. Campbell stated that he voted "aye". He was under the impression, and all of us here were too, that his name was called on the affirmative roll and then also called on the negative roll.

The SPEAKER. The Chair has no alternative other than to follow the rules which cover the situation. The Chair will read Rule 80, for the information of the House:

> Upon the completion of the roll call and before the result of the vote has been announced by the Speaker three members of the House may demand a verifica-

tion of the roll. After the affirmative or negative roll has been declared verified it is too late to change or record a vote thereon. Any member may challenge in writing the vote or votes of members who are recorded as voting. If the vote so challenged would change the result the announcement of the vote shall be postponed by the Speaker until the allegations made shall have been investigated when, if necessary, the roll shall be corrected and the true result announced by the Speaker.

The Chair will also read a decision on the same situation from the 1941 Pennsylvania Manual, page 748:

> Vote may be corrected after verification by unanimous consent.
>
> 250. The roll having called and the affirmative side verified, the negative verification was being completed when a member heard her name read as having voted in the negative. She stated that she had voted in the affirmative. Under a question of parliamentary inquiry it was asked whether the member could be recorded on the affirmative roll by unanimous consent of the House. The Speaker stated that the House by unanimous consent cando what it desires. The vote was changed to the affirmative roll on the adoption of a motion by the House authorizing the change. (Legislative Journal, April 19, 1933 p. 4036.)

The Chair rules that it will require unanimous consent of the House to have the name of Mr. Campbell changed from the negative to the affirmative roll.

Mr. COHEN. Mr. Speaker, apparently an error has been made. In view of the obvious injustice that it might do the gentleman from Philadelphia, Mr. Campbell, I now ask unanimous consent of the House that the name of Mr. Campbell be added to the affirmative roll.

Mr. WALTER E. ROSE. Mr. Speaker, it appearing that this is the first time this situation has arisen in this session, and since it may serve notice as to what may happen, and the unfortunate position we may find ourselves in at another time, I think the request for unanimous consent will accomplish the purpose and I will offer no objection to the request of the gentleman from Philadelphia, Mr. Cohen.

The SPEAKER. There being no objection the name of Mr. Campbell will be stricken from the negative roll and placed on the affirmative roll.

On the question recurring,

Will the House agree to the section as amended?

Mr. O'NEILL. Mr. Speaker, the amendments of the gentleman from Philadelphia, Mr. Modell, were similar to the amendments of Mr. Bradley and myself and I therefore withdraw them.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

The second section was read.

On the question,

Will the House agree to the section?

The amendments offered by Mr. Paul L. Wagner were read by the Clerk as follows:

Amend sec. 2, page 4, line 9, by striking out the word "increase" and inserting in lieu thereof the following: "revise its budget by increasing."

Amend sec 2, page 4, line 11, by striking out the words "the current" and inserting in lieu thereof the word "and."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

Mr. MODELL. Mr. Speaker, I desire to withdraw the amendment offered by Mr. Cullen and I.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

The third section was read.

On the question,

Will the House agree to the section?

The amendments offered by Mr. Paul L. Wagner were read by the Clerk as follows:

Amend sec. 3, page 4, line 20, by inserting after the word "any" the following: "temporary or emergency."

Amend sec. 3, page 4, line 21, by striking out the words "other than minimum increments required by law" and inserting in lieu thereof the following: "not in excess of the amount of increase required to be paid by this act."

Amend sec. 3, page 4, line 26, by striking out the word "law" and inserting in lieu thereof the following: "section one thousand two hundred ten of the Public School Code of May eighteenth, one thousand nine hundred eleven (P. L. 309) and its amendments, not in excess of the amount of increase required to be paid by this act,"

Amend sec. 3, page 4, line 28, by striking out the word "at" and inserting in lieu thereof the word "by a school district until after."

Amend sec. 3, page 5, lines 2, 3, and 4, by striking out the words "or during the school year one thousand nine hundred forty-two, one thousand nine hundred forty-three (1942-1943) which are" and inserting in lieu thereof the following: "which may have been."

Amend sec. 3, page 5, by inserting between lines 16 and 17 the following: "The Superintendent of Public Instruction may refuse to authorize the payment of any moneys payable to any school district by the Commonwealth, for any purpose, during the effective period of this act, or any school year thereafter, if such school district shall, at any time hereafter, fail or refuse to pay to the members of its teaching and supervisory staffs the temporary increases in salaries required by this act. He may continue to hold such requisitions until provisions has been made by the school district for the payment of such temporary increases in salaries."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

The amendment offered by Mr. Levy was read by the Clerk as follows:

Amend Sec. 3, page 5, lines 4 and 5, by striking out the words "which are deducted from the amount of the increase provided for hereby."

On the question,

Will the House agree to the amendment?

Mr. LEVY. Mr. Speaker, due to the attitude of the Republican majority on questions before the House this afternoon, the amendments to section three going to the root of the bill, I will withdraw them.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

Mr. PAUL L. WAGNER. Mr. Speaker, I desire to amend the bill by adding a new section.

The amendment was read by the Clerk as follows:

Amend the bill, page 5, by inserting between lines 16 and 17 the following:

"Section 4. In addition to the increases required by this act, the board of directors (or board of public education) of each school district is hereby authorized to grant temporary or emergency increase in salaries to members of its teaching or supervisory staff, for any period up to and including the thirtieth day of June, one thousand nine hundred forty-five, and to discontinue such increases at the end of the period for which the same were granted, any law to the contrary notwithstanding; and any temporary or emergency increase heretofore granted by any school district, and the discontinuance thereof at the end of the period for which granted are hereby ratified, confirmed and made valid, notwithstanding the fact that the same may have been done without previous authority of law."

On the question,

Will the House agree to the amendment?

It was agreed to.

The fourth section was read.

On the question,

Will the House agree to the section?

Mr. PAUL L. WAGNER offered the following amendment:

Amend sec. 4, page 5, line 17, by striking out the figure "4" and inserting the figure "5."

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

The amendments offered by Mr. Paul L. Wagner were read by the Clerk as follows:

Amend title, page 1, line 4 of title, by striking out the word "and".

Amend title, page 1, last line of title, by inserting after the word "increases" the following: "authorizing the Superintendent of Public Instruction to withhold payments due from the Commonwealth in certain cases; authorizing additional temporary increases; and validating such increases heretofore made".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

The SPEAKER. If there is no objection the Chair will return to House Bill No. 511, Printer's No. 210, on page 5 of today's calendar, bill on second reading. Is there objection? The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 511, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

HOUSE BILL No. 816 MADE A SPECIAL ORDER

Mr. WALTER E. ROSE. Mr. Speaker, I move that House Bill No. 816, Printer's No. 174, entitled:

An Act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts; authorizing additional appropriations and temporary loans therefor; and requiring the Commonwealth to reimburse school districts for the full amount of such increases.

on page 15 of today's calendar, bill on third reading be made a special order of business on Thursday, April 1, 1943, at 2 p. m.

The motion was agreed to.

BILLS ON SECOND READING

The SPEAKER. If there is no objection the Chair will return to House Bill No. 865, Printer's No. 257, on page 7 of today's calendar, bill on second reading. Is there objection? The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 865, entitled:

An Act to amend section four hundred nine of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State Government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by providing for the surrendering by persons in military service of licenses granted to them, the renewal thereof by the board during licensee's continuance in such service, and the renewal thereof thereafter.

The first section was read.

On the question,

Will the House agree to the section?

Mr. HEATHERINGTON offered the following amendments:

Amend Sec. 1, page 3, line 8, by striking out the words "a new subsection" and inserting in lieu thereof: "two new subsections."

Amend Sec. 1 (Sec. 409), page 4, by inserting between lines 22 and 23, the following: "(e) Notwithstanding anything to the contrary in this section, any individual to whom a license shall have been issued for the retail sale of malt or brewed beverages, or the retail sale of liquor and malt or brewed beverages who, while such license was in force, shall have entered the armed forces of the United States, either by induction or by enlistment, or shall have entered employment in any war industry which is recognized as an industry contributing to the conduct of the war, and, by reason thereof, shall have failed to renew such license during such service or industrial occupation, shall be permitted to file an application for renewal of said license at any renewal period within one year after his or her honorable discharge from the United States service, or after his or her honorable discharge or release from such industrial war work or, if employed in said war industry until the end of the present war, the said application may be made within one year after the termination of the present war. Upon filing of such application, the said license of such applicant shall be renewed by the Pennsylvania Liquor Control Board, regardless of the provisions of any law limiting the number of such licenses in each municipality now in force, or which may hereafter be enacted, if such applicant qualifies in all other respects."

On the question,

Will the House agree to the amendments?

Mr. IRVIN. Mr. Speaker, I rise at this time to oppose the amendments offered. As I understand it, the Liquor Control Board has already provided for those persons who are engaged in defense work, so that they can turn over the management of their plants to their wives or any person they designate while they are engaged in war work. This bill acts for the men on the fighting front and gives them the right to renew their licenses after receiving an honorable discharge from the army within one year, and I bitterly oppose any amendment to this bill for that reason. It is strictly for the men on the fighting front and for nobody else.

Mr. HEATHERINGTON. Mr. Speaker, I agree with the gentleman from Philadelphia that House Bill 865 is a good bill. I intend to vote for the bill on account of the boys who are serving in the armed forces, but I am also thinking of the individual or the man or woman who might have two, three or maybe four sons in the armed forces. At the time that their three or four sons left this country and went in a foreign country, their father was in a good business in the state of Pennsylvania. I do agree with him too on the question of the Liquor Control Board allowing them to appoint a manager, but if you appoint a manager for your business you are losing money. That manager who was appointed is not going out to dig up any business for the father of these boys who are in the service, which means that the father in the curtailment of the business is going to close up. When those boys come home from the Army or the Navy they are going to look probably at some of the members in the House, especially those who voted against these amendments and tell them that they thank them for being proud of them, but they are not very proud of you because you had the chance to keep their fathers in business and you turned him down. The only thing these amendments do will be to allow a man, who on account of the war, is losing business and must close up his liquor establishment. It will allow him to renew his licenses within one year after the war. Now, I agree that the bill in its present form is taking care of the soldier boys, and with these amendments in the bill it will take care of the fathers and mothers of the soldier boys who are in the same business. I ask the Members of the House to vote for the amendments to this bill.

On the question,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Moran and Mr. Goodwin and were as follows:

YEAS—65

Baker,
Barrett,
Bentzel,
Boory,
Bradley,
Brigerman,
Brunner, P. A.,
Chervenak,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Dillon,
Duffy,
Elliott,
Ewing,
Finnerty,
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kolankiewicz,
Krepps,
Laughner,
Leonard,
Levy,
Leydic,
Longo,
Lovett,
Mihm,
Mooney,
Moran,
Munley,
Nowak,
O'Brien,
O'Connor,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Regan,
Reynolds,
Sarraf,
Scanlon,
Schuster,
Skale,
Smith,
Snider,
Stank,
Swope,
Tate,
Thompson,
Thrasher,
Wallin,
Weiss,
Welsh,
Yester,

NAYS—101

Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Helm,
Hewitt,
Hocke,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Lee,
Leisey,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McClester,
McKinney,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Serrill,
Simons,
Sollenberger,
Sorg,
Stockham,
Stonier,
Taylor,
Tiemann,
Trout,
Turner,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Walton,
Wood, L. H
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

So the question was determined in the negative and the amendments were not agreed to.

The second, third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

The SPEAKER. If there is no objection the Chair will return to House Bill No. 849, Printer's No. 256, on page 6 of today's calendar, bills on second reading. Is there objection? The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 849, entitled:

An Act relating to child care centers; conferring certain powers and duties upon the State Council of Defense, local and district councils of defense, and political subdivisions; providing for the adoption of rules and regulations for the maintenance, operation and conduct thereof; and authorizing appropriations by political subdivisions.

The first section was read.

On the question,

Will the House agree to the section?

Mr. LEVY. Mr. Speaker, in view of the fact that

House Bill 849 has raised such comment within the Commonwealth and there has been so much correspondence to date on the measure, also that I have attempted to get in the last twenty hours some amendments prepared relative to it, and would have pressed the Legislative Reference Bureau for their preparation had it not been for the fact that earlier this afternoon the sponsor of the measure passed over the bill on second reading as he did yesterday, and in view of the fact that I haven't had time to speak to the sponsor of the measure in private, I would like him now to consent to hold the bill on the second reading calendar until Monday night in order to give us an opportunity to prepare amendments which we deem proper and at the same time give the various groups interested in the bill, an opportunity to come to the Capitol and state their reasons for their opposition. The bill, as you know, Mr. Speaker, has been on the calendar a few days, and the bill has been also on second reading for the past two days, and I would ask the sponsor of the bill to hold it over.

Mr. MAHANY. Mr. Speaker, last Monday night the gentleman from Philadelphia raised some objections and asked that this bill be re-committed, and so moved. That motion was lost. He has had since last Monday night to prepare his amendments. The only reason this bill was not called up in order today was that I was down donating a pint of blood. If that had not been the case I would have been here and called it up at the proper time. I cannot see the fact that it was not called up at one thirty has given any more time to the gentleman from Philadelphia to have the amendments prepared. I regret, Mr. Speaker, that I cannot go along with the gentleman's request, and I ask that it now be acted upon.

Mr. LEVY. Mr. Speaker, I might further say to the gentleman that I too was in the hospital this morning, and because of that I was unable to go to the Legislative Reference Bureau until just previous to the opening of the session. I would have had ample time to go to the Legislative Reference Bureau to have the amendments prepared had not the bill been put over for a later time, but it was my impression that the gentleman, the sponsor of the bill, was not prepared today, when the bill was passed over and not called up. I am only asking this courtesy for the people who are interested in this piece of legislation. Certainly the gentleman knows it is important, and certainly the gentleman knows that another day or two will not hinder the principles that the bill involves or the results therefrom. I only ask for that courtesy from the gentleman. If he does not see fit to grant the courtesy, of course, we will go ahead with it.

Mr. MAHANY. Mr. Speaker, in order to clarify my position I will not object to any amendments offered tomorrow if this bill passes second reading—I will not offer any objection to the introduction of them.

On the question recurring,

Will the House agree to the section?

Mr. LEVY. Mr. Speaker, I thought from the gentleman's last remarks that he was agreeable to passing the bill over until tomorrow or until Monday.

The SPEAKER. The gentleman is reminded that the gentleman from Crawford, Mr. Mahany, stated plainly that he would not object to amendments being offered tomorrow if this bill passes second reading today. That was the gentleman's statement.

Mr. LEVY. I understand that clearly, Mr. Speaker. Are you reading the bill for agreement?

The SPEAKER. We are on section one of the bill.

Mr. LEVY. Mr. Speaker, in the confussion surrounding the request, may I request the Speaker to withdraw the proceedings thus far in order to give me time to offer a motion before the House?

The SPEAKER. The bill is now before the House, and it is impossible for the Speaker to accede to the gentleman's request without the permission of the House.

Mr. SARRAF. Mr. Speaker, I think Mr. Mahany made the statement that he would like to have the bill passed on second reading, if I understood him correctly. I would like to ask, if I may at this time whether Mr. Mahany meant that on third reading he would give unanimous consent to amend this bill.

Mr. MAHANY. Mr. Speaker, I believe I said that I would not object to the offering of amendments to this bill tomorrow on third reading.

Mr. SARRAF. I thank the gentleman, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I believe that the gentleman from Crawford, Mr. Mahany, feels that child care centers is a subject that is critically important to the people of Pennsylvania so that they might have the best bill possible to carry the war effort to a successful conclusion. I might say to you, Mr. Speaker, that I received just fifteen minutes ago two telegrams from organizations in Philadelphia which I would like to read into the record, requesting an opportunity to appear at a public hearing on all three bills before the House. That is Mr. Mahany's bill and the two bills that have been introduced by the gentleman from Philadelphia, Mr. Levy, and I at this time would like to read the following telegrams—

The SPEAKER. The Chair would remind the gentleman that we can only debate now that which pertains to section one of this bill. The Chair has no recourse but to so rule. The gentleman will have an opportunity later to debate the bill in full.

Mr. CHUDOFF. Mr. Speaker, I would like to have an opportunity to make a motion.

The SPEAKER. The gentleman will state his motion.

MOTION TO RECOMMIT

Mr. CHUDOFF. I move, Mr. Speaker, that House Bill 849 be recommitted to the Committee on Education for a public hearing.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRY

Mr. LICHTENWALTER. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Lehigh will state his parliamentary inquiry.

Mr. LICHTENWALTER. Mr. Speaker, is this motion in order when we are on section 1 of the bill?

The SPEAKER. A motion to recommit is in order under Rule 15 of the House as well as under Rule 54.

Mr. LICHTENWALTER. Mr. Speaker, I ask the members on this side of the House to oppose the motion to recommit.

Mr. CHUDOFF. Mr. Speaker, on the motion to recommit I would like to read the telegrams into the record.

The SPEAKER. The Chair would advise the gentleman that there is nothing in order except the motion to recommit.

Mr. CHUDOFF. I would like to say, Mr. Speaker, that I wanted to read my telegrams before I made the motion to recommit.

The SPEAKER. The Chair would like to permit the reading of the telegrams but is somewhat in doubt as to their nature. Do they pertain strictly to the recommittal of the bill?

Mr. CHUDOFF. Mr. Speaker, these telegrams that I want to read into the record are in support of my reasons for asking to recommit the bill to the Committee on Education.

The SPEAKER. The gentleman will proceed.

Mr. CHUDOFF. Mr. Speaker, this telegram is dated Philadelphia March 31 and reads as follows:

> "Nite For Victory Committee 4th Congressional Dist Representing thousands of people in this community. Strongly protest the enactment of HB 849 which is inadequate and does not meet the needs in time war. Urge the enactment of HB 41 and 42 which will meet minimum requirements. Urge joint open hearing of State Government Educational and Appropriation Committees. Sally Dorph Secy."

QUESTION OF INFORMATION

Mr. LEVY. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. LEVY. Is it not the purpose, Mr. Speaker, on agreement of the majority and the minority that on Thursdays, the last day of the week for sessions that in most cases important controversial measures are not debated but rather laid over until the beginning of the week?

The SPEAKER. The Chair has no knowledge of any such agreement. The gentleman from Philadelphia may interrogate the Majority and the Minority Floor Leaders of the House if he so desires.

Mr. LEVY. Mr. Speaker, I would like to interrogate the Majority Leader.

The SPEAKER. The Chair reminds the gentleman that we are considering a motion to recommit, and there is nothing else in order.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Baker and Mr. Leonard.

Messrs. Baker, Chudoff and Tate asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—63

Baker,
Barrett,
Bentzel,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Chervenak,
Chudoff,
Cohen,
Coleman,
Croop,
Dillon,
Duffy,
Elliott,
Finnerty,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Longo,
Lovett,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Regan,
Reynolds,
Sarraf,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,
Thrasher,
Trent,
Verona,
Weiss,
Wright,
Yester,

NAYS—113

Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Brice,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Flack,
Fleming,
Fox,
Freed,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Corman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Taylor,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section was read.

On the question will the House agree to the section?

Mr. BROWN. Mr. Speaker, are we on section 1?

The SPEAKER. We are considering Section 2. Section 1 has been agreed to.

Mr. BROWN. Mr. Speaker, I tried to get the Speaker's attention before section 1 was agreed to.

The SPEAKER. If there is no objection the Chair will withdraw its decision as to section 1. The Chair hears none.

On the question recurring,

Mr. BROWN. Mr. Speaker, this is a very important piece of legislation and I should like to interrogate the gentleman from Crawford, Mr. Mahany.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. MAHANY. I will, Mr. Speaker.

Mr. BROWN. Does the gentleman feel, Mr. Speaker, that the act, section 1, is well drawn in that it gives no definition of an emergency child care center?

Mr. MAHANY. I do, Mr. Speaker.

Mr. BROWN. Mr. Speaker, where in it do we get the definition of an emergency child care center?

Mr. MAHANY. Mr. Speaker, I think that there will be no question about what the words, "emergency child care center" mean. It means just what it states, and what the context of the bill says, it provides for centers for children of certain ages to be taken care of while their parents are engaged in industry.

Mr. BROWN. Mr. Speaker, does the gentleman believe in keeping with our statutory rule on construction and draftsmenship of an act of legislation that a definition should go in the title, a legal definition?

Mr. MAHANY. Mr. Speaker, I believe I answered that question, that I didn't think so, but I thought the words themselves were self explanatory and that there would be no question about what they mean.

Mr. BROWN. I thank the gentleman.

Mr. Speaker, in order to conserve the time in the House may I ask questions as to the various sections and then debate the entire act, rather than take the time of the House on each section?

The SPEAKER. If there is no objection the gentleman may do so. The Chair hears none. The gentleman will proceed.

Mr. BROWN. Mr. Speaker, I have finished with the interrogation on section 1.

Mr. LEVY. I understood, Mr. Speaker, that the gentle-from Allegheny stated he was through with the questioning relative to section 1.

The SPEAKER. The gentleman from Allegheny has the floor. Does he yield?

Mr. BROWN. I yield to the gentleman from Philadelphia, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to interrogate the gentleman from Crawford, Mr. Mahany.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. MAHANY. I will, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to inquire of the gentleman from Crawford whether or not he made the statement to the gentleman from Allegheny, referring to the definition of emergency child care centers, as to whether the gentleman did not say that it was for centers for children of those working in industry.

Mr. MAHANY. I believe I so stated, Mr. Speaker.

Mr. LEVY. I desire to inquire of the gentleman from Crawford where in House Bill 849 there is reference to for children of those working in industry.

Mr. MAHANY. On page two, line seventeen, Mr. Speaker, it says "parents now or hereafter engaged in war industry."

Mr. LEVY. Mr. Speaker, that is the correct meaning of lines fifteen, seventeen and eighteen, and I agree with the gentleman, but I understand that the gentleman said in answer to the gentleman from Allegheny that it referred to parents engaged in industry. There is a distinction between war industry and industry.

Mr. MAHANY. Mr. Speaker, I took it for granted that we were talking about war industry. It was an oversight on my part. I would add that it takes care of children of parents in war industry, as it states specifically in the act.

Mr. LEVY. Mr. Speaker, I thank the gentleman.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Brown.

Mr. BROWN. I do not desire the floor, Mr. Speaker, until we read section 2.

The SPEAKER The Chair understood the gentleman desired to debate the whole bill rather than each section.

Mr. BROWN. That is right, Mr. Speaker, and I meant that I could make my remarks. I didn't mean that I could interrogate on a section before it is called up. However, if that will save time I shall be happy to do that, if I may interrogate as to the sections before they are called up.

The SPEAKER. The Chair feels certain that it would save time and unanimous consent of the House has been granted.

Mr. BROWN. Thank you, Mr. Speaker; I shall so proceed.

May I further interrogate the gentleman from Crawford Mr. Mahany?

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. MAHANY. I will, Mr. Speaker.

Mr. BROWN. May I ask the gentleman, Mr. Speaker, what is his definition of a real guardian.

Mr. MAHANY. Mr. Speaker, I would say it would be a guardian, either a natural one or one appointed by the court.

Mr. BROWN. Has the gentleman ever heard of the legal use of any such phrase before?

Mr. MAHANY. Mr. Speaker, if this wording is not suitable to the gentleman or any other member, I suggest their remedy is by amendment. I have agreed that amendments may be offered tomorrow, and if the gentleman from Allegheny feels that this wording may be clarified by an amendment he may do so tomorrow.

Mr. BROWN. Well now, Mr. Speaker, I thank the gentleman. However, I didn't ask him whether he would allow me time to prepare an amendment. I asked him if he had ever heard a legal definition,—and here we are talking about law, of course, of the term "real guardian".

Mr. MAHANY. I might say, Mr. Speaker, I have never heard that expression used in just that way, but it doesn't cause me any trouble to interpret it, and I do not believe that the Office of Civilian Defense or any other agency set up under this act is going to get into serious litigation over this particular phrase.

Mr. BROWN. Mr. Speaker, if this act were passed and it becomes law, could I take my children to my mother-in-law's home to be cared for? I have a very nice mother-in-law, Mr. Speaker, and I might have to go into industry if this debate keeps up much longer.

Mr. MAHANY. I believe there is some provision in there relative to number. I cannot take judicial notice as to the number of children Mr. Brown has, but I don't believe that under that provision of this act he could do what he contemplates. I believe that this act provides for child centers, and these will be setup under the supervision of the Office of Civilian Defense. It does not contemplate taking the children into some private home.

Mr. BROWN. Mr. Speaker, the reason I asked that, in further interrogation, why then do you draw the line as to parents, grandparents, brothers or sisters, uncles and aunts or real guardians? Why not include mothers-in-law, sisters-in-law and all other in-laws? What would be the objection?

Mr. MAHANY. Mr. Speaker, if the gentleman from Allegheny, Mr. Brown, wants to put in an amendment taking care of his mother-in-law he may do so tomorrow.

Mr. BROWN. Mr. Speaker, if one parent is working in a department store and the other parent is working in a war industry, and those parents have two or three or more children, would they be eligible for this service in an emergency child care center?

Mr. MAHANY. Mr. Speaker, I would say that the plural "parents" would include the singular, so that either one being engaged in war industry, their children would be taken care of in these child centers.

Mr. BROWN. Is this act an all-inclusive act in that the State Council of Defense would have the entire supervision of all emergency child centers in Pennsylvania where there are children under fourteen years of age?

Mr. MAHANY. Mr. Speaker, it is my opinion that it would not be an exclusive act, that is, this allows the State Council of Defense to set up these centers and would not preclude some other agency from setting them up, if they were properly authorized by law to do so.

Mr. BROWN. Mr. Speaker, does the gentleman from Crawford mean if they were properly authorized by the Council of Defense?

Mr. MAHANY. No, Mr. Speaker, properly authorized by law.

Mr. BROWN. Mr. Speaker, is it not a fact that the Council of Defense does make such a rule or regulation, and that any organization or group or organization that would attempt to establish or may now have established emergency child centers could be penalized under the penal provision of this act?

Mr. MAHANY. Mr. Speaker, I do not believe that this bill so states.

Mr. BROWN. Mr. Speaker, will the gentleman tell me why the penalty, and why the act designates certain care that would not come within the act and does not say anything about other organizations or institutions that now or that may hereafter establish such war centers for children?

Mr. MAHANY. Mr. Speaker, I believe that the burden of proof should be on the one who makes the allegation rather than on me. However, I believe that the penalty is put in to provide for a violation of some regulation. For instance, hypothetically, relative to interference with these child welfare centers, for instance someone who might break in during a blackout or some such situation as that. That was the reason for the penalty provision.

Mr. BROWN. I thank the gentleman.

Mr. Speaker, I do not believe that this House should ever have before it a bill so ambiguous and confusing as this piece of legislation that we are now endeavoring to pass on second reading. This provision providing for the classes of persons who may care for children was put in without any serious consideration. I don't know how they are going to draw a line as to who may or who may not take care of the children. In the first place I do not believe this can be constitutionally done, and yet this act attempts to do it. This is an important act. It uses language which I challenge any member to find in any laws that have ever been passed or in any legal dictionary or any other dictionary.

Now certainly, in such an important piece of legislation we ought to have first the jurisdiction properly established. We ought to have language that could be readily and easily interpreted. For that reason, Mr. Speaker, I do feel that this act should be held on the calendar until such time as a careful perusal could be made of the same so that we will not pass legislation of this kind.

I have absolutely no fault to find with the State Council of Defense, I have no fault to find with the District Councils of Defense. I am, though, leaning toward the opinion expressed by the gentleman from Westmoreland, Mr. Denman, but at this particular time I am concerned wholly and solely with the construction of this act. I think it would be bad if this House should pass it in the form it is in now. I believe, Mr. Speaker, that the gentleman from Crawford will agree with me that it needs, first of all, a definition, and it needs secondly legal language instead of certain ambiguous language which can be misinterpreted, and then we need to know whether or not the institutions or persons who now care for children would become amenable to the penalty provision of this act. I challenge any member of the House on the question of construction only to show me wherein this act meets the legislative test of acts which can be plainly construed and whose intention can be plainly seen.

Mr. LEVY. Mr. Speaker, I desire to interrogate the gentleman from Crawford, Mr. Mahany.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. MAHANY. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I heard the gentleman, in answer to Mr. Brown of Allegheny say that if one parent working in a defense industry or a war industry and another parent working in a department store—would their children come under the purview of this act, and the gentleman from Crawford said that he supposed from the wording that the singular would apply to the plural, and the children would then be permitted to come within the purview of the act. Let us assume that there is no husband, that the husband has passed away, that the wife instead of working in a war plant is driving a taxicab in one of the cities of the Commonwealth, and has a few children. Would her children come within the purview of the act?

Mr. MAHANY. Mr. Speaker, I would think that the Office of Civilian Defense could make regulations providing for such instances if they deemed it wise to do so.

Mr. LEVY. Mr. Speaker, I then desire to inquire of the gentleman as to whether or not in House Bill 849 there is a provision which would exclude children of a mother placed in that predicament?

Mr. MAHANY. Mr. Speaker, I do not think so. think the words "war industry" might apply in such a case if it were so provided by the Office of Civilian Defense.

Mr. LEVY. Mr. Speaker, I don't know if this act passes, upon a test of its constitutionality or upon a test of its wording, whether or not Mr. Mahany will be present when the jurists will probably ask the same question, but I would say to the gentleman from Crawford that the words "war industry" are quite clear, and I cannot imagine anyone interpreting the words "war industry" to mean driving a taxicab or working in a department store. Certainly the gentleman would want to clarify at least that particular portion of the bill.

Mr. MAHANY. Mr. Speaker, is the gentleman through with his interrogation and is he now going into debate on the bill?

Mr. LEVY. Mr. Speaker, if the gentleman wants to debate this bill I think we are doing it within the rules of the House. I have asked him a question and he answered, and then I interposed an opinion on his answer. There is nothing wrong with that. If the gentleman feels that he is all bewildered about his own bill, and I believe he is, then I would say to the gentleman why not accede to the wishes of a few Members of the House, and agree that this is a very important measure, and that it be given the proper time to be properly drawn and considered?

Mr. MAHANY. Mr. Speaker, I can assure the gentleman that I am not bewildered and I will do my best to answer the gentleman's question. If he has different opinions than I have relative to this act, I believe he has the privilege of stating his opinions, and I am not interfering with that. However, I do object to his drawing any conclusions relative to this matter.

The SPEAKER. Has the gentleman finished his interrogation?

Mr. LEVY. No, Mr. Speaker, I desire to further interrogate the gentleman.

Is the gentleman from Crawford in agreement with the gentleman from Allegheny that this bill is probably the first of its kind to take its place on the floor of the House of Representatives in relation to its ambiguity, and certainly its lack of coordination with the purpose of the bill?

Mr. MAHANY. Mr. Speaker, I don't know whether Mr. Brown so stated. Perhaps he would like to clarify that.

Mr. Speaker, I yield to the gentleman from Allegheny, Mr. Brown.

Mr. BROWN. Mr. Speaker, the gentleman from Philadelphia, Mr. Levy is getting ambiguity on top of ambiguity when he speakers of the ambiguity of this bill. That is new language, so that he is putting new language in the body of the bill and new language in the interpretation.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second to the ninth sections and title were separately read and agreed to.

On the question,

Will the House agree to the bill on second reading?

Mr. LEVY. Mr. Speaker, I desire to interrogate the majority leader, the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to inquire of the gentleman from Lehigh as to whether in his opinion the majority party feels this is an important piece of legislation?

Mr. LICHTENWALTER. It does, Mr. Speaker.

Mr. LEVY. Mr. Speaker, may I further inquire of the gentleman from Lehigh as to whether or not he intends to go through with a bill of this nature on third reading on the last day of the legislative week?

Mr. LICHTENWALTER. That is entirely up to the members of the House. I think the gentleman from Crawford, Mr. Mahany, has stated his willingness to have amendments presented on third reading tomorrow, and is not raising any objection.

Mr. LEVY. Mr. Speaker, I desire further to inquire of the gentleman as to whether or not it has been a custom established in the House, especially on four-day sessions, on the part of the Majority Leader and the Minority Leader to hold up all controversial bills on the fourth legislative day and let them go into the beginning of the following week?

Mr. LICHTENWALTER. Mr. Speaker, I would not say there was a custom. I recall that it was done in the 1941 session. After all, I think we are meeting under unusual times in this particular session. If we are going to get out of here in the time we anticipate, instead of sitting here until June or July, I think we'll have to change that old custom.

Mr. LEVY. Mr. Speaker, does the gentleman feel that House Bill 849, important as it is, would suffer if another couple of days were required to enact it into law?

Mr. LICHTENWALTER. Mr. Speaker, I did not understand the question.

Mr. LEVY. Mr. Speaker, I asked the gentleman whether he thought that one extra legislative day would make so much difference in the passage of this particular bill, important as it is.

Mr. LICHTENWALTER. Well, it might make a great deal of difference, Mr. Speaker. I do not see any objection to having the bill read and go on to the third reading calendar for tomorrow, if the sponsor of this bill is willing to allow amendments to be offered. I am sure that the gentleman from Philadelphia if he will sit down with the gentleman from Crawford might work out all the difficulties in the bill. If it is a matter that the gentleman from Philadelphia cannot be present tomorrow, that is a different matter.

Mr. LEVY. Mr. Speaker, I desire further to interrogate the gentleman regarding the possibility of this bill being placed in position for third reading tomorrow. The sponsor has offered to accept certain clarifying amendments, will not that make the bill go over for third reading on Monday, because it must go to the Printer?

The SPEAKER. The bill would be on final passage on Monday night if it were amended and agreed to on Thursday.

Mr. MAHANY. Mr. Speaker, in answer to the gentleman from Philadelphia, so that there should be no misunderstanding relative to my agreement, I believe I have stated this twice, and now I am going to state it the third time, and I hope that there will be no ambiguity in it—I don't believe there was before: I said I would not object to the offering of amendments to this bill tomorrow. I did not say that I would accept the amendments. I stated that I would not object to the offering of amendments tomorrow.

Mr. LICHTENWALTER. Mr. Speaker, I was just going to make the same statement that the sponsor of the bill has made.

Mr. LEVY. Mr. Speaker, might I ask the Majority Leader then in open discussion on the floor of this House whether he would agree to hold the bill on third reading until Monday night, whether it is the custom or not?

Mr. MAHANY. Mr. Speaker, I don't see any reason for that.

Mr. LEVY. Mr. Speaker, the reason is this, two hours ago I left the floor of the House, I was called on the telephone to go back to Philadelphia tonight. If the gentleman would not make any premature remarks, I might add that I was called back to Philadelphia because my mother is not so well. Certainly I did not ask the courtesy of this bill's going over without some merit, and the bill, important as it is, not to me alone but to all the people in Pennsylvania, certainly would guide the majority leadership in acceeding to the wish to have this bill studied for a few more days.

Mr. LICHTENWALTER. Mr. Speaker, if this bill is important to the gentleman, I certainly do not want in any way to minimize his desire probably to get back to Philadelphia, but I am sure that on that side of the House, if he takes a stand for the party which he represents, there are many able men over there who are able to take care of his request, as far as the bill is concerned. Besides that, this bill is not being enacted into law; it is going to third reading. The gentleman from Philadelphia, Mr. Chudoff, asked to have the bill recommitted for a public heading. This bill will have to go over to the Senate and there is every opportunity, and if the Senate so desires and the membrs of the House feel that that should be done, that a public hearing be held, I am sure that it will be held. If these corrections are not inserted over here to make this a good bill in the eyes of the gentleman from Philadelphia, I am sure that he will have some Senatorial friends who will be glad to listen to him and make the corrections.

Mr. LEVY. Mr. Speaker, I desire to inquire from the gentleman as to whether or not we are a branch of this legislature, and as to whether or not we must perform our duties as members of the House and not pass poor legislation, to be corrected or amended by the higher branch of the legislature?

Mr. LICHTENWALTER. Mr. Speaker, I would say to the gentleman that I would let that judgment be with the vote on the roll call when the bill is up for final passage.

I am only offering the suggestion to enable the gentleman to make a good bill out of what he thinks is a bad bill. I am sure that the members here will express themselves if given the opportunity to vote upon this bill as to whether they think it is good bill in their judgment.

Mr. LEVY. Mr. Speaker, does the gentleman from Lehigh feel then that he does not have a good bill but he does have good votes?

Mr. LICHTENWALTER. Mr. Speaker, I think we have both.

Mr. LEVY. Mr. Speaker, I thank the gentleman from Lehigh.

I cannot understand the position of the Republican leadership on a bill of this kind. The sponsor of the bill says on one hand, if you want to include in the bill a definition of emergency child care centers, then you include it, that is all right with me. But then later he says, "I don't say I am going to approve of your amendments." Now, Mr. Speaker, I would ask the sponsor of the bill to get his story straight. On interrogation by the gentleman from Allegheny he apparently answered that if the gentleman felt there should be some amendments to clarify certain wordings in the bill they should be introduced, apparently inferring that we was for as clear a bill as possible. Now, I would like to know if that is the case or is not the case.

On the question recurring,

Will the House agree to the bill on second reading?

It was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

MOTION TO LAY ON TABLE

Mr. LEVY. Mr. Speaker, I now move you that House Bill 849, Printer's No. 256, be laid on the table.

The SPEAKER. The Chair would inform the gentleman that the motion to lay upon the table is out of order at this time.

Mr. LEVY. Mr. Speaker, I would like to know the reason why the Chair will not accept the motion to lay on the table.

The SPEAKER. Rule 15 provides:

> No business regularly before the House shall be interrupted, except by motion—
> For adjournment.
> To lay on the table.
> For the previous question, namely, "shall the main question be now put?"
> For postponement.
> For commitment.
> For amendment.
> Which several motions shall have precedence in the foregoing order.

Mr. LEVY. What, Mr. Speaker, is now the interpretation of the rule? I understood you to say that no motion would be in order other than a motion to do among other things, to lay on the table.

The SPEAKER. The Chair has informed the gentleman from Philadelphia that a motion to lay on the table is a privileged motion. The gentleman from Philadelphia is somewhat confused as to the wording. It is a privileged motion and cannot be entertained because House Bill 849 is not before the House.

Mr. LEVY. Mr. Speaker, if that is not the business before the House, then what is the business before the House? We just approved House Bill 849 on second reading.

The SPEAKER. House Bill 849, Printer's No. 256 was before the House and disposed of section by section, and the title. The bill was agreed to on second reading. That was done before the motion to lay on the table was presented.

Mr. LEVY. Mr. Speaker, I am in agreement with the Speaker concerning the fact that House Bill 849 was passed on second reading but the Speaker indicated to me in not entertaining my motion Rule 15, which says: "No business regularly before the House shall be interrupted except by motion for adjournment, for the previous question, namely shall the main question be now put, for postponement, for committment or amendment or amendment and to lay on the table".

Now, Mr. Speaker, certainly from the interpretation of Ruly 15, my motion to lay on the table is properly in order.

The SPEAKER. The Chair would inquire of the gentleman from Philadelphia what he desires to lay on the table?

Mr. LEVY. I might answer the Speaker's question by saying I am quite definitely sure I won't lay an egg.

The SPEAKER. The gentleman might get his hat and move to lay that on the table, but the Chair repeats the question, What does the gentleman wish to lay on the table?

Mr. LEVY. House Bill No. 849, Printer's No. 256.

The SPEAKER. That is not the business before the House. It has been disposed of.

Mr. LEVY. That is true, Mr. Speaker. Nevertheless the bill is on the calendar. The bill has been agreed to, the bill is around, and I ask to lay it on the table.

The SPEAKER. May the Chair repeat a few words from the Rule: "no business regularly before the House shall be interrupted". The bill is not before the House.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. LEVY. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. LEVY. Mr. Speaker, does a motion to lay on the table require the bill to be before the House?

The SPEAKER. It requires that business to be before the House.

Mr. LEVY. Mr. Speaker, is there any method by which we can now bring the bill before the House?

Mr. WALTER E. ROSE. I would like to answer the gentleman from Philadelphia by stating that he can if he cares to, ask for unanimous consent.

Mr. LEVY. If he cares to or if he dares to?

Mr. WALTER E. ROSE. Mr. Speaker, that is for the decision of the gentleman.

QUESTION OF INFORMATION

Mr. CHUDOFF. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. CHUDOFF. Mr. Speaker, has the Chair ruled on Mr. Levy's motion to lay the bill on the table?

The SPEAKER. The Chair has ruled on that question.

Mr. CHUDOFF. What is the Chair's ruling?

The SPEAKER. The Chair is unable to determine who wants to be recognized, but recognizes the gentleman from Philadelphia, Mr. Chudoff.

Mr. CHUDOFF. Mr. Speaker, I understood you to say that you had ruled on Mr. Levy's motion to lay House Bill 849 on the table.

The SPEAKER. The Chair has ruled on that motion.

Mr. CHUDOFF. What is the Chair's ruling on that motion, Mr. Speaker?

The SPEAKER. The Chair has ruled that the motion to lay on the table is not in order.

Mr. CHUDOFF. Mr. Speaker, under the rules of the House is not a motion to lay a bill on the table always in order?

The SPEAKER. It is not.

Mr. LEVY. Mr. Speaker—

The SPEAKER. The Chair recognizes the gentleman from Philalelphia, Mr. Levy, once more.

Mr. LEVY. Mr. Speaker, will the Speaker tell the House what is the business before the House at the present time?

The SPEAKER. The final passage calendar.

MOTION TO RECONSIDER VOTE

Mr. O'BRIEN. Mr. Speaker, on page six of today's calendar I move that the vote by which House Bill 849, Printer's No. 256, passed second reading be reconsidered.

PARLIAMENTARY INQUIRY

Mr. WALTER E. ROSE. Mr. Speaker, I arise to a parliamentary inquiry.

The SPEAKER. The gentleman from Cambria will state his parliamentary inquiry.

Mr. WALTER E. ROSE. Mr. Speaker, having disposed of House Bill 849 on second reading, have we taken up any other business of the House?

The SPEAKER. We have not.

Mr. WALTER E. ROSE. Then, Mr. Speaker, the motion is out of order?

The SPEAKER. The motion is out of order. The Chair inform the gentleman from Philadelphia, Mr. O'Brien, that a motion to reconsider cannot be considered at this time.

The Chair will read Decision No. 190 for the information of the House:

> On the motion to reconsider a vote by which a bill was defeated on final passage, the point of order was raised that this motion is not in order until other business has intervened.
>
> The Speaker decided the point of order well taken; the motion is not in order until some other business has intervened. (Legislative Journal, April 13, 1931, p. 1893).

Mr. O'BRIEN. Mr. Speaker, if no other business had intervened then the motion to lay on the table was in order.

The SPEAKER. The Chair will inform the gentleman from Philadelphia that a motion to lay on the table is a privileged motion.

Mr. O'BRIEN. On the motion to lay on the table, the Chair ruled without any help from the gentleman from Cambria, Mr. Rose, although he has helped the Speaker on this last question, at least he has answered for the Speaker.

The SPEAKER. The Chair will inform the gentleman that the Chair ruled that the motion to reconsider the vote was not in order under the rules of the House.

Mr. O'BRIEN. Did you say, Mr. Speaker, that under decision 190, until some other business had intervened, this motion of mine to reconsider the vote by which the bill passed second reading is out of order?

The SPEAKER. That is correct.

Mr. O'BRIEN. Then, Mr. Speaker, if there has been no other business intervening is not the motion to lay on the table in order?

The SPEAKER. The Chair is trying to get it clearly into the mind of the gentleman from Philadelphia that a motion to lay on the table is a privileged motion, and can only be made when there is other business before the House.

Mr. O'BRIEN. Mr. Speaker, Mr. Levy subsequent to the bill's being passed on second reading, made a motion to lay it on the table. Is that considered business since the passage of this bill on second reading?

The SPEAKER. It is not. The Chair ruled that motion out of order.

Mr. LEVY. Mr. Speaker, the gentleman from Philadelphia, Mr. O'Brien offered a motion to reconsider the vote by which the bill passed second reading. The Speaker read a decision from the Manual, Decisions of the House. In that decision it said where business had intervened. Now, in the present position of the House, no business had intervened at the time Mr. O'Brien made the motion.

The SPEAKER. That is exactly what the Chair stated to the gentleman from Philadelphia. The Chair cannot entertain the motion.

Mr. LEVY. The Speaker answered the gentleman from Cambria, Mr. Rose, by saying that no business had intervened. The decision cited by the Speaker in the Manual had the facts the other way, that there was intervening business. Now, that decision Mr. Speaker, does not apply, and I ask you—

The SPEAKER. Will the gentleman yield?

Mr. LEVY. I will, Mr. Speaker.

The SPEAKER. The Chair ruled that no business had intervened, and read the decision.

Mr. LEVY. Mr. Speaker, what order of business is before the House now?

The SPEAKER. Bills on Final Passage.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 592, as follows:

An Act to further amend section six hundred twenty-one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolly omnibuses bicycles pedestrains and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permtiting certain minors under eighteen years of age to operate certain commercial motor vehicles as paid operators for the duration of the present was and six months thereafter

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred twenty-one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towwns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

Section 621 Unlawful for Person Under [Eighteen (18)] Sixteen (16) Years to Operate Motor Vehicle as a Paid Employe It shall be unlawful for any person under the age of [eighteen (19)] sixteen (16) years to operate a motor vehicle upon any highway as a paid employe or for any person under the age of eighteen (18) years but not under the age of sixteen (16) years to operate any motor vehicle other than a commerical motor vehicle of the R or S class upon any highway as a paid employe and it shall be unlawful for the duration of the present war and six months thereafter for any person to cause or permit any such operation

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistarte be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

On the question,

Shall the bill pass finally?

Mr. LEONARD. Mr. Speaker, I fail to find this bill on my desk, and the reason I have raised the question is because it is supposed to have been amended.

The SPEAKER. The Chair is informed by other members that the bill is on file.

Mr. LEONARD. Well, Mr. Speaker, I am a Democrat.

Mr. Speaker, that was no joke about the bill, the bill was not on file on my desk. This bill is just as dangerous today as it was yesterday and I would like to reiterate to those who paid attention yesterday the objections that I raised to this bill. I placed in the record evidence that it is dangerous to permit boys under eighteen years of age to operate power driven vehicles. Police records will prove that, but this bill goes much further.

I will read a section of the title:

By permitting certain minors under eighteen years of age to operate certain commercial motor vehicles as paid operators for the duration of the present war and six months thereafter.

That means this, that a ten year old boy could drive a truck or automobile. Now, I am willing and I appreciate the fact that some relief should be—

The SPEAKER. Will the gentleman yield?

Mr. LEONARD. I will, Mr. Speaker.

The SPEAKER. The Chair requests the gentleman from Lancaster, Mr. Wood, to preside.

MR. NORMAN WOOD IN THE CHAIR

Mr. LEONARD. Mr. Speaker, I am sure all of you will agree with me when I say this, let a couple of us go back to sixteen years of age, and we get the car out. When we took the car out we were aware of the fact that we were doing something contrary to the law. That being the case, naturally we tried to be as careful as possible, but remove the law and put a sixteen year old boy back of the wheel again and we will ride rough shod as we always do when we know there is no danger.

If we were to pass this bill and it were to cause one accident, one death—we only killed forty some thousand people last year—all of us would have to hang our heads in shame, which we would have the right to do. I am asking the House of Representatives to consider it from the standpoint of the protection of the people and especially the old people who are not quite as alert as the younger generation when they attempt to cross a street. Of course, you will all appreciate too that there is a lot of one handed driving done by these young fellows. I am not only asking the protection of the people, the pedestrians and the people in general, and I am asking you to vote the bill down and to protect the boy himself.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Moran, Chudoff and Pettit asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—75

Bonawitz,
Boorse,
Boyd,
Bretherick,
Brice,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Coulson,
Dague,
Dalrymple,
Dennison,
Depuy,
Elder,
Foor,
Fox,
Freed,
Garber,
Gillan,
Gorman,
Greenwood,
Gross,
Hall,
Hannon,
Hare,
Holmes,
Hoopes,
Hunter, W. M.,
Imbrie,
Irvin,
James,
Kennedy,
Kline,
Kowalski,
Krepps,
Laughner,
Lee,
Leisey,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McClester,
McMillen,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
Reese, D. P.,
Reilly,
Riley,
Royer,
Serrill,
Sollenberger,
Sorg,
Stonier,
Tiemann,
Trout,
Turbett,
Wachhaus,
Wagner, P. L.,
Walton,
Watkins,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAY—78

Baker,
Barrett,
Bentzel,
Boory,
Bradley,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cordier,
Denman,
Dillon,
Dix,
Duffy,
Elliott,
Erb,
Flack,
Gates,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hewitt,
Hoggard,
Hunter, B. F.,
Huntley,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Leydic,
Longo,
Lovett,
McKinney,
Mihm,
Mooney,
Moran,
O'Brien,
O'Connor,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Reynolds,
Robertson,
Rose, W. E.,
Rowley,
Sarraf,
Scanlon,
Schuster,
Skale,
Smith,
Snider,
Stank,
Swope,
Tate,
Thrasher,
Trent,
Van Allsburg,
Verona,
Wallin,
Welsh,
Wright,
Yester,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Lancaster, Mr. Wood, for presiding.

MOTION TO RECONSIDER VOTE

Mr. O'BRIEN. Mr. Speaker, I move that the vote by which House Bill 849, Printer's No. 256, passed second reading be reconsidered.

On the question,
Will the House agree to the motion?

Mr. O'BRIEN. Mr. Speaker, I would like to withdraw my motion.

The SPEAKER. The gentleman withdraws his motion.

RESOLUTION

Mr. TROUT. Mr. Speaker, I wish to introduce a resolution and ask that the remarks that I would have had made if we had more time be placed on the record.

The SPEAKER. This is not a privileged resolution and will be filed with the Clerk.

There being no objection the remarks of the gentleman from Lancaster, Mr. Trout, will be spread upon the record.

REMARKS BY MR. TROUT

It is the function of the Western Tax Council to present the proposed XXII Amendment to the Constitution of the United States, limiting the taxing powers of the Federal Government to a 25 per cent maximum on Income, Gift and Estate taxes as a post war permanent tax program, to thoughtful citizens for their consideration, comments and cooperation.

In the following short statement, we will endeavor to give a faithful outline of the relation of the XXII Amendment to war and to peace, to restate its purpose, review its origin and call attention to the necessity of keeping the movement non-partisan. Furthermore, to recapture the spirit of the Constitution by communicatinging with the recorded vision of the founders of government.

To win the World War is the fervent prayer of every true American. A war won and peace lost is a permanent and disastrous defeat. No more effective contribution can be made to winning the post war peace than using our taxing posers for revenue purposes only.

As we stand at the crossroads of our progress, we must recognize that primary responsibility rests with those who have authority in business and in government in the direction of our destiny and in the preservation of American ideals. They are the first line of defense.

Under its operation, the XXII Amendment will:

1. Restore Sovereignty to the States and the people.
2. Prohibit the use of the taxing system for socialistic objectives.
3. Limit the power of Congress over the purse.
4. Curb Bureaucracy and halt Federal invasion of human and property rights.
5. Keep private and corporate enterprise solvent.
6. Restore the values taxed out of property by confiscatory levies now approximating in amount the present public debt.
7. Recognize the law of diminishing returns.
8. By lowering rates it will nicrease the volume and velocity of business, thereby increasing revenue to the Federal Government.
9. During a combat war, be subject to change by Congress.
10. Safeguard the working man's job.

The organization behind the XXII Amendment is the State Legislatures. They have more power than any organization in any government anywhere. It has been said that the hand of man never penned a document that had in it more power than that given to State Legislatures in the Constitution of the United States. As a jury, they are well qualified; no member of a State Legislature can be on the Federal payroll or on relief and the profit motive is removed as an influence in their deliberations.

There is complete agreement among substantial taxpayers that the present taxing system will put an end to private enterprise and will socialize government. The proposed XXII Amendment meets with unanimous approval when understood and is recognized as having the power and the only available instrumentality in government that can keep private enterprise and government solvent and restore to citizens the inalienable "Right to Own" which the XVI Amendment gives the power to annul.

The first income tax bill levied "a flat rate of 2 per cent upon gains, profits and incomes over $4000" and in the consideration of the amendment in Congress and in State Legislatures they had that rate and procedure in mind.

At that time using the taxing powers for socialistic objectives was unthinkable. The statesmen of that day apparently did not realize that they were surrendering the principles of limited government upon which this nation was founded and that they were opening the gateway to communism and the layman far removed from the scene of action did not realize that his birthright was being taken from him.

The sentiment for limiting the taxing powers of the Federal Government by constitutional restraint did not completely die down but subsided when the administration following the first World War applied the principle of reducing rates to increase revenue through an enlarged volume of business. But it flared up when the late Huey Long put forward his "Share the Wealth" program and took on serious proportions when Congress in the tax bill of 1935 applied in a modified form the Huey Long principles by using the taxing system for socialistic objectives. Its proponents vigorously advocated using the taxing powers to dismantle large property units and forbade accumulation by using graduated, discriminatory and unlimited levies. It was the first time in the history of this nation that taxes were levied by Congress for any other acknowledged purpose than raising revenue.

When we granted unlimited taxing powers to the Federal Government, the principles of using the taxing powers for socialistic objectives was brought to a climax by placing a ceiling of $25,000 upon salaries, wages and earned incomes by Executive order and upon incomes from investments in the schedules of individual income tax in the higher brackets in the present tax measure. The latter limited investment in private enterprise for profit. The advocates of the limitation of $25,000 against incomes from whatever source did not put it forward as a revenue producer but to "equalize" incomes. It is not laid to produce revenue for war purposes but a completion of the use of the taxing system for socialistic objectives adopted by Congress in 1935, advocating the use of the taxing system with its graduated levies to dismantle large property units and prohibit their accumulation. Apply this principle to the corporation incomes and it will put an end to our capitalistic system. Corporations are the fountain head of all incomes and the volume and velocity of the flow must be protected if private enterprise is to survive and business is to remain solvent. The major difference between the Huey Long program and the substitute plan Congress adopted is that he proposed to take property from one class and give to another while our present taxing system destroys values. No one gets it. It is the greatest legislative conflagration of values since governments began. It restrains creating values and prohibits the accumulation of property.

The XVI Amendment gave the Federal Government the power to take all the earnings of any citizen at the option of Congress in time of peace or war. It reads:

> "The Congress shall have power to lay and collect taxes on incomes from whatever source derived * * *"

It authorizes but does not compel Congress to use this power.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 286

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1943.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 286, Printer's No. 44, entitled "An act to further amend sections twenty fifty seventy-two and two hundred sixty-five of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' by further regulating the taking of fish from inland waters and the possession thereof."

EDWARD MARTIN.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE RESOLUTION No. 31

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1943.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Resolution No. 31, requesting the Department of Public Assistance to investigate the conditions now forced upon those entitled to receive relief by reason of the discontinuance of the Food Stamp Program and the higher cost of living and to consider the advisability of increasing the amounts paid to them in order to compensate for the loss suffered by reason of changed conditions.

EDWARD MARTIN.

REPORTS FROM COMMITTEES

Mr. BRETHERICK from the Committee on Professional Licensure, reported as amended, House Bill No. 521, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and non-resident real estate brokers and real estate salesmen and their business," by providing for the regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business by the State Real Estate Board, instead of the Department of Public Instruction.

Mr. JAMES from the Committee on Townships, reported as amended, House Bill No. 537, entitled:

An Act to amend section one thousand five hundred and two, by adding thereto clause XLVII, of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing certain townships of the first class to appropriate moneys for the support of hospitals.

COMMITTEE MEETINGS

There will be meetings of the Committees on

Boroughs, Thursday, April 1, at 10 a. m. Room 522.

Cities—Third Class, Thursday, April 1, at 10:30 a. m. Room 521.

Judiciary General, Thursday, April 1, at 11 a. m. Room 325.

Labor, Thursday, April 1, at 10:30 a.m. Room 323.

Municipal Corporations, Thursday, April 1, at 12 Noon. Room 521.

State Government, Thursday, April 1, at 12 Noon. Room 324.

ADJOURNMENT

Mr. SIMONS. Mr. Speaker, I move that this House do now adjourn until Thursday, April 1, 1943, at 1 p. m.

The motion was agreed to, and (at 6:58 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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SENATE

THURSDAY, April 1, 1943.

The Senate met at 11:00 o'clock, a. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D.D., offered the following prayer:

Our Father, whose name is to be hallowed by the sons of men because Thou art holy, give us that reverence for Thee that will keep us from using that sacred name in an unhallowed way. Thy law which decrees that "Thou shalt not take the name of the Lord thy God in vain" has never been rescinded. We pray for purity of thought and of word, in the belief that when these are right our outward acts will not be wrong.

Guide the Senate today in its distinctive duties as framer of the laws of a great commonwealth. May all enactments reflect the considered judgment of men of good intent—men of faith who are looking to the best interests of all the people.

We pray for all soldiers and sailors and airmen at home and afar off. Hold all in Thy keeping as they give their all to the winning of war. May victory be hastened.

For our President, our Governor and our Lieutenant-Governor we pray. May they be wise with the wisdom Thou givest, and zealous in its application.

In the Name of the Lord Christ. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session.

ERRATUM

Mr. HEYBURN. Mr. President, due to an oversight, a communication from the Governor, dated March 31, 1943, notifying the Senate that he had signed and approved Senate Bill No. 84, Printer's No. 86, was omitted from yesterday's Journal.

I now ask unanimous consent, Mr. President, that said communication be included in the Journal.

It was agreed to.

The communication was read as follows:

APPROVED AND SIGNED SENATE BILL No. 84 PRINTER'S No. 86

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 31, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 84, Printer's No. 86, entitled "An act to amend Paragraph A of section four hundred one of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 565) entitled "An act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over and taking possession of and conducting or liquidating the business and property of corporations associations and persons receiving deposits or otherwise transacting a banking business corporations acting as fiduciaries and building and loan associations providing for the payment of the expenses of the Department of Banking by supervised corporations associations or persons and appropriating the Banking Department Fund authorizing the Department of Banking under certain circumstances to examine corporations associations or persons affiliated or having business transactions with supervised corporations associations or persons authorizing appeals to the Supreme Court and prescribing and limiting the powers and duties of certain other courts and their prothonotaries registers of wills recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services rendered under this act providing penalties and repealing certain acts and parts of acts" by requiring the Department of Banking for a limited period of time to examine all institutions thoroughly at least once every two years instead of each year as provided by law

EDWARD MARTIN.

Whereupon,

On motion of Mr. HEYBURN and Mr. HENRY I. WILSON, the further reading was dispensed with and the Journal was approved, as corrected.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. ZIESENHEIM.

He also asked and obtained leave of absence for Mr. EDMONDS.

He also asked and obtained leave of absence for Mr. JAMES.

He also asked and obtained leave of absence for Mr. SHAPIRO.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 1, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William F. Buckley, 3100 Birney Avenue, Minooka, Scranton, for appointment as Justce of the Peace in and for the Township of Lackawanna, Lackawanna County, until the first Monday in January, 1944, vice John J. Joyce, deceased.

EDWARD MARTIN.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, from September, 1939, until today, April 1, 1943, the Senate has expended for milk orders $2,370,800.00 out of relief funds. In addition to this amount, the State—to meet the rising cost of milk—had to supplement it with an additional outlay of $877,600.00, making a total expenditure of $3,248,400.00. This was caused by the milk trust bill passed by a Republican controlled House and Senate in 1939, and the taxpayer of Pennsylvania has been denied $1,879,900 in Federal aid.

When are the economies promised during the campaign for office to start? Would not the repeal of the Eccles Milk Trust Bill be a good start?

At the beginning of this Session I introduced Senate Bill No. 88, which has remained in the Committee of Welfare, Public Assistance and Pensions.

As we sit here, doing nothing to make savings in government costs, the Treasury of this Commonwealth pays out $75,000 per month for milk. Six thousand dollars is paid for office expense each month and close to $25,000.00 is lost in Federal funds each month.

Mr. President, we the Members of the Senate of Pennsylvania, have been sitting in these halls for three months and there has been spent a quarter of a million dollars that should never have been spent. There is a lot of talk about winning the war, about savings of money that could go into buying guns and ammunition for our boys at the front, but we have permitted these monies to be spent, an amount that could have purchased nine fighting planes just to satisfy a political pressure group, the Milk Trust of Pennsylvania.

This Committee meets next Tuesday and I am appealing to the Members, publicity, to report Senate Bill No. 88 to the floor of the Senate and thereby end this pork barrel legislation.

PERMISSION TO ADDRESS SENATE

Mr. KEPHART asked and obtained unanimous consent to address the Senate.

Mr. KEPHART. Mr. President, in reply to the Senator from Allegheny county, Mr. Holland, may I point out that any loss caused to the Commonwealth of Pennsylvania is due to bureaucrats in Washington, controlled by the Democrats, who desire to run this state, and just because we in Pennsylvania want to see that the children get milk every day instead of having this money spent for liquor, they think that it should be governed, so that it can be spent in some other form.

It is not the fault of the Commonwealth of Pennsylvania, but of the bureaucrats in Washington, under the Democratic New Deal, that has caused this loss.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, in reply to the statement of the gentleman from Philadelphia, Mr. Kephart, that the bureaucracies of Washington have control of this loss to Pennsylvania, I say to the gentleman from Philadelphia that he is very careless with the truth.

Why should the Federal Government give to this State, or any other State, funds for relief so that the party of which the gentleman from Philadelphia is a member can play politics or pay off political debts?

The gentleman from Philadelphia knows as well as I do that this money is given by the Federal Government to relief recipients and if he does not look upon that relief recipient as one who is in slavery and that that person receiving that money should be permitted to spend it in an American way, a way he sees fit, I say to the gentleman from Philadelphia that it is unpatriotic and unAmerican to say to those poor people on relief, those poor unfortunates, that they must spend this money as he dictates. He knows as well as I do that the Department of Public Assistance, and that all those interested in Social Welfare have said the Eccles Bill was not a good bill.

The Senator from Philadelphia also knows that much of this milk con not be used because the people on relief do not have refrigerating systems and the milk is spoiled.

Mr. President, I say to the gentleman from Philadelphia, Mr. Kephart, that the so-called bureaucrats at Washington had first in mind the people who were to get this relief, and not to permit his party or the party of any other member of this house, whether Democrat or Republican, to use this money to pay off political debts.

When the gentleman from Philadelphia says that people on relief are using this money to buy liquor, I say to him that he is making an accusatoin against people who can not be present in this Chamber to answer his accusations, and I say it is false, and I say to him this, as Americans, the people of America should be permitted to spend the little bit of money they get from their Government, the kind of people, most of whom have labored for years to make it the strongest and the richest government. The people on relief today are men and women who could not get a job in any way today, and who are on old age assistance due to physical deformities; they can not get a job.

Yes, and some of them I know because I represent one of the biggest and best industrial districts of Pennsylvania, some of those men are waiting for old age assistance, who have been crippled in the mills, who have been denied because laws did not exist during their manhood to get proper compensation from their employers when they were hurt in the mills.

I say to the gentleman from Philadelphia, Mr. Kephart, that he wants to study the report of the Department of

Public Assistance and he shall find that over sixty percent of the men remaining on public assistance today are suffering from hernias from overwork, from using their bodies to take the place of machines.

I say to the gentleman from Philadelphia that it is unAmerican to stand on the floor in this Chamber and accuse any of those poor people of using money for drinking, and it is unAmerican to say to them "here are your measly few dollars a week but we will tell you how to spend it."

REPORTS FROM COMMITTEES

Mr. KEPHART, from the Committee on Highways, reported as committed House Bill No. 71, entitled:

An Act to amend section three of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 754) entitled "An act providing for the survey construction reconstruction improvement and maintenance of an Industrial State Highway between the cities of Chester and Philadelphia and making the same a part of the system of State Highways providing for the taking of certain roads and of certain private property therefor under the power of eminent domain and the payment of damages by certain counties and imposing certain powers and duties upon the Highway Commissioner and county commissioners" providing for ascertaining damages for the taking of private property and payment thereof in the same manner as provided by law in the case of State Highways

Mr. HENRY I. WILSON, from the Committee on Elections, reported as committed, Senate Bill No. 304, entitled:

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts.

Mr. THOMAS, from the Committee on Highways, reported as committed, Senate Bill No. 64, entitled:

An Act authorizing the Secretary of Highways to establish, construct and maintain parallel or approximately parrellel State highways in townships, boroughs, incorporated towns and cities in certain cases, providing for the payment of property damages resulting therefrom and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 63, entitled:

An Act to amend the act approved the twenty-second day of April, one thousand nine hundred and thirty-seven (P. L. 394), entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions," by adding certain other conditions under which the Secretary of Highways may disregard terminal points.

Mr. LETZLER, from the Committee on Highways, reported as committed, Senate Bill No. 11, entitled:

An Act to amend section eighteen of the act, approved the thirteenth day of June, one thousand eight hundred thirty-six (P. L. 551), entitled "An act relating to roads, highways and bridges," authorizing vacation of parts of public roads where termini of remaining parts of road are not in public highway or place of public resort.

Mr. CARR, from the Committee on Insurace, reported as amended, Senate Bill No. 191, entitled:

An Act authorizing guardians and trustees to purchase life endowment or annuity contracts in companies approved and duly authorized to carry on such business in the Commonwealth of Pennsylvania.

Mr. FARRELL, from the Committee on Elections, reported as committed, Senate Bill No. 305, entitled:

An Act to further amend the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statsitics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing certain provisions of said act relating to removal notices and eliminating electors" rights to file removal notices in certain cases.

Mr. BOWERS, from the Committee on Highways, reported as committed, House Bill No. 644, entitled:

An Act to further amend sections five hundred and eleven and six hundred and ten of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery; and fixing fees therefor.

Mr. McQUIDDY, from the Committee on Highways, reported as committed, Senate Bill No. 48, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending certain provisions of Section one thousand and twelve thereof for the duration of the war and six (6) months thereafter.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 49, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibusses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commowealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending the provisions of Section nine hundred and two (f) thereof for the duration of the war and six (6) months thereafter.

He also, from the Committee on Highways, reported as committed, Senate Bill No. 105, entitled:

An Act to amend section two thousand three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," authorizing the Department of Highways to condemn rights-of-way as agent for the Federal Government.

Mr. McGINNIS, from the Committee on Highways, reported as committed, House Bill No. 462, entitled:

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States, or from any women's organization officially connected therewith, without a learner's permit, examination, or additional fee, and while in such service the operation of motor vehicles without operators' license or motor vehicle registrations and the temporary suspension of existing laws requiring the same.

Mr. BARR, from the Committee on Judiciary Special, reported as committed, House Bill No. 551, entitled:

An Act to amend section four of the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2821), entitled "An act to regulate the sale, and advertising for sale, of goods, wares, and merchandise purporting to be an insurance, bankruptcy, mortgage, insolvent, assignees, receivers, trustees, removal or closing-out sale, or sale of goods damaged by fire, smoke, or water, in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith, and providing penalties for the violation thereof, and for the imposition of license fees for permission to conduct the same," by forbidding the continuation of the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale.

Mr. DENT, from the Committee on Highways, reported as committed, Senate Bill No. 347, entitled:

An Act to add section six hundred seventeen and one-tenth to the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for special operators' licenses after suspension for persons required to operate motor vehicles in course of employment.

BILLS INTRODUCED AND REFERRED

Mr. MALLERY, read in his place and presented to the Chair Senate Bill No. 480, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," estbalishing an additional route in the County of Blair.

Which was committed to the Committee on Highways.

Mr. BECKER read in his place and presented to the Chair Senate Bill No. 481, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporatoins for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Lancaster.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 482, entitled:

An Act to amend section two of the act approved the first day of June, one thousand nine hundred thirty-three, (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," as amended by adding a new route.

Which was committed to the Committee on Highways.

Messrs. BECKER and RUTH read in their places and presented to the Chair Senate Bill No. 483, entitled:

An Act to amend Route 06082 of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," changing a route in the County of Berks.

Which was committed to the Committee on Highways.

Mr. DEITRICK read in his place and presented to the Chair Senate Bill No. 484, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Selinsgrove State Colony for Epileptics, to convey to the Salem Lutheran and Reformed Church of Selinsgrove, Pennsylvania, certain real property.

Which was committed to the Committee on State Government.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 485, entitled:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determinatoin of liability and compensation thereunder; and prescribing penalties," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 486, entitled:

An Act to amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," by conferring upon said county court jurisdiction in appeals from the Workmen's Compensation Board.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 487, entitled:

An Act to amend section three of the act, approved the tenth day of June, one thousand nine hundred thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," by relaxing, during the continuance of the present war, the educational requirements for applicants to take exxaminations for undertakers' licenses, if such applicants have completed ten or more years service as assistants to duly licensed undertakers.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 488, entitled:

An Act to further amend subdivision four of subsection (j) of section four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 2897, 1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," removing from the definition of "employment" the execption of services performed as officers or members of crews of vessels on the navigable waters of the United States, so as to apply the benefits of said act to persons performing such services.

Which was committed to the Committee on Labor and Industry.

Mr. DENT. On behalf of Senators Gourley, Haluska and myself, I present a bill to amend the Unemployment Compensation Acts, calling for partial payments.

Messrs. DENT, GOURLEY and HALUSKA read in their places and presented to the Chair Senate Bill No. 489, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897—1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," by providing for the payment of compensation to certain partially unemployed persons.

Which was committed to the Committee on Labor and Industry.

Mr. GOURLEY read in his place and presented to the Chair Senate Bill No. 490, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such higways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," establshing an additional route in the County of Washington.

Which was committed to the Committee on Highways.

RESOLUTION

EXTENDING CONDOLENCES TO THE FAMILY AND FRIENDS OF THE HONORABLE JOHN W. HOWELL

Mr. COLEMAN offered the following privileged resolution which was twice read:

In the Senate of Pennsylvania, April 1, 1943.

The Honorable John W. Howell, a well-liked and respected member of this Senate from 1930 until 1938, died yesterday morning at his home in Scranton.

Born in that city, he has lived there throughout his life, built up and managed a successful real estate and insurance business, and was active in the affairs of the Republican Party in his home city and in the Commonwealth.

During his years of service in the Senate, he won the respect and confidence of his associates and reflected credit upon his constituents. It was a privilege to know him and his friendship was a thing of value.

He was suddenly stricken on Saturday night of last week, and his sudden end has been a shock to his many friends.

He leaves to survive him a wife, two daughters and two sons; therefore be it

Resolved, By the Senate of the Commonwealth of Pennsylvania that the death of the Honorable John W. Howell is a distinct loss to the community in which he lived and to the great number who delighted in his friendship, and that to his widow and children, the Senate extends its most sincere sympathy; and be it further

Resolved, That the Secretary of this Senate is hereby requested to forward a copy of this resolution to his widow.

On the question,

Will the Senate agree to the resolution?

Mr. COLEMAN. Mr. President, the fact that death loves to remove mankind was never better exemplified than in the sudden passing of former Senator John W. Howell, at his home in Lackawanna County yesterday.

Three weeks ago John W. Howell was in the Senate chamber, making a visit to the place where he spent so many happy years, renewing acquaintances with men with whom he served as a member of the Senate of Pennsylvania from 1830 until 1938. At that particular time his chief concern was about the health of his wife, who had been bedridden for several years.

Little did former Senator Howell realize three weeks ago, as he moved in and about the Senate chamber, that within a period of a very few weeks that he too would join that innumerable caravan going whence there is no returning.

Senator Howell was a man of character. Men strive for form and wealth and badges of distinction, but those weigh little in the scale of life when man's true worth is being assayed. In all the long years of history no man is remembered for his wealth, few men are remembered for their brilliance of intellect, but myriads are remembered for their character, their unselfish devotion to their fellowmen.

When I came into the House of Representatives in 1935 John Howell was a sort of counsellor of mine. I did not have to traverse the legislative highway alone or penetrate the parliamentary wilderness unaccompanied—John Howell was always with me and his retirement from public life gave me an opportunity of sitting in this august body.

Recently I ran across two verses. The first one has no application to him, but I mention it merely to emphasize the second one. The first one runs:

I did a favor yesterday
A very kindly deed.
And then I called to all the world
To stop and look and heed.
They stopped and looked and
flattered me
With words I could not trust.
And when the world had gone away
My good deed turned to dust.

That has no application to him, but the other one more nearly fits if, not actually written for him. It runs:

A very tiny courtesy
I found to do today.
'Twas quickly done
With none to see
And then I ran away.

But someone must have witnessed it,
For truly I declare
When I sped back the stony path
Roses were blooming there.

That was Senator Howell, always doing things for somebody, not in an ostentatious manner, but his unnumbered acts of love and acts of kindness have endeared him to all the hearts of all the people of our particular community.

John Howell was a great fighter of tremendous force for good in the Senate of Pennsylvania and I personally was a great admirer of Senator Howell. Nobody in the Commonwealth of Pennsylvania shared a greater portion of my admiration and respect than did the man whom I succeeded in the Senate of Pennsylvania.

And, while no words of mine can assuage the grief nor lessen the sorrow that must be in the hearts of the family of former Senator Howell, it ought to be a source of great comfort to his family to be able to cherish during the remaining days of their lives the memory of such a devoted husband and father, a model neighbor and a patriotic American citizen.

RESOLUTION ADOPTED

Mr. COLEMAN. Mr. President, I move immediate adoption of the resolution just read.

Mr. EALY. I second the motion, Mr. President.

It was agreed to.

SENATORS TO ATTEND FUNERAL OF EX-SENATOR JOHN W. HOWELL

The PRESIDENT. At the request of the President Pro Tempore the Chair announces the following Senators as members of a committee to attend the funeral of Honorable John W. Howell, ex-Senator of the Commonwealth of Pennsylvania: Senators Coleman, Tyler, Mundy, Crowe, Jones, Watkins, and Deitrick, and any other Senators who may be able to attend. Funeral services will be held from the residence in Waverly on Friday, April 2, 1943, at eleven o'clock a. m. It is suggested that Senators wishing to attend contact Senator Adrian H. Jones in Hazleton for further details.

BILL ON FINAL PASSAGE

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 301, on final passage, entitled:

An Act to amend section one hundred four, clause (a) of section two hundred five, clause (a) of section two hundred twelve, section four hundred three, section five hundred five and to add clause (d) to section five hundred two of the act approved the twenty-fifth day of June, one thousand nine hundred and forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," clarifying and correcting the provisions of said sections and providing for the funding of debts represented by judgments entered by courts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 17, on third reading, entitled:

An Act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board, and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to existing retirement and pension system and upon officers and employes of such political subdivisions; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 18, on third reading, entitled:

An Act relating to parole; abolishing the Pennsylvania Board of Parole; reestablishing the jurisdiction, powers and duties of the courts and of the Board of Pardons with respect to parole; and authorizing the employment by the Attorney General of a Supervisor of Paroles and field agents

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 34, entitled:

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing that employes on retirement for superannuation who return to active school service during the present war shall not upon return to retirement receive any smaller allowance than that received prior to return to active school service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 799) is hereby further amended to read as follows

Superannuation Retirement

Section 14 Retirement for superannuation shall be as follows

1 Any contributor who is an employe sixty-two years of age or older may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at what time subsequent to the execution of said application he or she desires to be retired Said application shall retire said contributor at the time so specified or in the discretion of the retirement board at the end of the school term in which the time so specified occurs

2 Each and every contributor who has attained or shall attain the age of seventy years shall be retired by the retirement board for superannuation forthwith or at the end of the school term in which said age of seventy years is attained

Allowance on Superannuation Retirement

3 On retirement for superannuation a contributor who is an employe shall receive a retirement allowance which shall consist of

(a) An employe's annunity which shall be the actuarial equivalent of his or her accumulated deductions and

(b) A State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of service and

(c) In addition thereto if a present employe a further State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of prior service as certified to said present employe in the certificate issued to him or her by the retirement board under the provisions of section [ten] eleven of this act

4 Any person sixty-two years of age or older who was a class-room teacher principal supervising principal or superintendent in the public schools of Pennsylvania for at least twenty years and who separated from school service for any reason prior to the first day of July one thousand nine hundred and nineteen and who was not thereafter engaged in school service except temporarily for not more than one whole school year or any person who was a class-room teacher principal supervising principal or superintendent in the public schools of Pennsylvania for at least fourteen years and who separated from school service because of physical or mental disability prior to the first day of July one thousand nine hundred and nineteen and who still is unable to teach because of such disability shall receive a State compensation equal to one-eightieth of his or her final salary for each year of school service but not less than twenty dollars ($20) per month if such former teacher shall agree in writing and hold himself or herself ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teacher when able to examine and report on public school work to visit pupils' homes in the interests of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interests The General Assembly shall from time to time appropriate moneys sufficient to make payments under this subsection Provided That any teacher who is entitled to receive State compensation hereunder and who is receiving a retirement allowance under the provisions of a local teachers' retirement system shall receive from the Commonwealth only the difference between the compensation to which such teacher would otherwise be entitled under the provisions of this subsection and the annual amount received by such teacher from such local teachers' retirement system

Any employe on retirement for superannuation who returns to active school service during the continuation of World War II shall not upon return to retirement for superannuation receive any smaller retirement allowance than that received prior to such return to active school service

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson. H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President I ask unanimous consent that Senate Bill No. 71, on third reading, entitled:

A Joint Resolution proposing an amendment to section four, article two of the Constitution of the Commonwealth of Pennsylvania, providing for annual sessions of the General Assembly, salary of members and an annual budget.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 99, on third reading, entitled:

A Joint Resolution proposing an amendment to Section one of article Fourteen, of the Constitution of the Commonwealth of Pennsylvania, by making sheriffs eligible to succeed themselves.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 100, entitled:

An Act to reenact and further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by authorizing commissioners to sell lands purchased at treasurers' sales upon which the period of redemption has expired and providing for notice of such sale or sales.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred.)

Mr. COLEMAN. Mr. President, I ask that the roll be verified.

The PRESIDENT. It has been requested that the roll be verified. The Clerk will call the names of those listed as voting in the affirmative.

The Clerk read the names of those voting in the affirmative as follows:

Becker,
Carr,
Coleman,
Cox,
Crider,
Deitrick,
Ealy,
Geltz,
Gourley,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Taylor,
Thomas,
Walker,
Watkins,
Wilson, H. I.,
Woodward,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The negative roll will be verified.

The Clerk read the names of those voting in the negative as follows:

Barr,
Farrell,
Heyburn,
Holland,

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—23

Becker,
Carr,
Coleman,
Cox,
Crider,
Deitrick,
Ealy,
Geltz,
Gourley,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Taylor,
Thomas,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—4

Barr,
Farrell,
Heyburn,
Holland,

Less than a constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

BILL OVER IN ORDER

Mr. McGINNIS. Mr. President, I ask unanimous consent that, House Bill No. 105, on third reading, entitled:

An Act to reenact and amend the title of and the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2611) entitled "An act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions" extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 114, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 An individual acting as co-fiduciary with a trust company or bank and trust company is hereby authorized with respect to moneys held by said trust company or bank and trust company and said individual as co-fiduciaries to consent to an investment thereof in a common trust fund maintained by said trust company or bank and trust company under the laws of the Commonwealth of Pennsylvania to the same extent that said trust company or bank and trust company as a sole fiduciary would be authorized to invest such moneys in such common trust fund Any consents heretofore given by individual co-fiduciaries are hereby validated The term "fiduciary" as used herein shall mean a trustee of a trust created by will deed declaration of trust court order or other instrument a guardian of a minor or incompetent or a committee of the estate of a lunatic or habitual drunkard and the term "co-fiduciary" as used herein shall mean a co-trustee of a trust created by will deed declaration of trust court order or other instrument a co-guardian of a minor or incompetent or a co-committee of the estate of a lunatic or habitual drunkard.

Section 2 Nothing contained herein shall be construed to authorize any fiduciary to make or consent to any investment contrary to the directions in regard to investments contained in the will deed or other instrument creating the trust in his or her care nor to limit or restrict the authority conferred by any such instrument upon any such fiduciary with respect to investments

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Barr,
Becker,
Carr,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Taylor,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 100 CALLED UP

Mr. HEYBURN. Mr. President, at this time I call up Senate Bill No. 100, Printer's No. 127, appearing on page 3 of today's Calendar, which failed of passage, entitled:

An Act to reenact and further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by authorizing commissioners to sell lands purchased at treasurers' sales upon which the period of redemption has expired and providing for notice of such sale or sales.

RECONSIDERATION OF SENATE BILL No. 100

Mr. HEYBURN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 100 was defeated.

The PRESIDENT. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "nay".

Mr. FARRELL. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FARRELL. Mr. President, I voted "nay".

The motion was agreed to.

REQUEST THAT BILL GO OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 100, on final passage, go over in its order.

The PRESIDENT. Is there objection?

Mr. BARR. Mr. President, I object.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 100, Printer's No. 127, go over in its order.

Mr. FARRELL. I second the motion, Mr. President.

It was agreed to.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 131, on third reading, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing for the issuing of free resident fishing licenses to persons over sixty-five years of age

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 138, on third reading, entitled:

An Act to further amend section seven of the act approved the second day of May one thousand eight hundred eighty-nine (P. L. 66) entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" by providing that any number of items paid into or deposited in the custody or under the control of any court of the United States in and for any district within this Commonwealth or in the custody of any depository registry or of any receiver clerk or other officer of any of said courts may be joined in one petition of escheat

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 165, on third reading, entitled:

An Act to amend section six hundred seven, and to further amend section seven hundred one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the appointment of certified public accountants for the purpose of auditing the accounts of the Auditor General, and requiring the Auditor General to submit all books, records and papers to such accountants

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 177, on third reading, entitled:

An Act to amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for the payment of contributions by employers in accordance with an experience rating system; and providing for and regulating such experience rating system and the terms and procedure to effectuate the same.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 185, entitled:

An Act to further amend clause (c) of paragraph nineteen of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing that school districts of the third class which are in or coterminous with townships shall hereafter be entitled to receive annual payments from the Superintendent of Public Instruction for certain closed or discontinued schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (c) of paragraph nineteen of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the acts approved the fifth day of August one thousand nine hundred forty-one (P. L. 785) and the fifth day of August one thousand nine hundred and forty-one (P. L. 789) is hereby further amended to read as follows

Section 1210 * * * * *

Nineteen * * * * *

(c) The Superintendent of Public Instruction shall annually apportion to each fourth class district and to each third class district which is in or coterminous with a township the sum of two hundred dollars ($200) for each school permanently closed or discontinued in such district since nineteen hundred eleven or which may hereafter be permanently closed or discontinued or which was heretofore permanently closed or discontinued under the provisions of the act of April twenty-fifth one thousand nine hundred and one (P. L. 105) entitled "An act to provide for the centralization of township schools and to provide high schools for townships" and all payments heretofore made by the Commonwealth and all requisitions and warrants heretofore drawn for payments for schools permanently closed or discontinued under the provisions of said act are hereby ratified validated and declared legal [Such annual apportionment shall continue to be made to such districts notwithstanding that they may be changed from fourth class districts to other classes by reason of an increase in population]

Section 2 The provisions of this act shall become effective for the school year one thousand nine hundred forty-three one thousand nine hundred forty-four and for all school years thereafter

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Barr,
Becker,
Carr,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Kephart,
Letzler,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senator having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 193, on third reading, entitled:

An Act to amend Section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" permitting persons under the age of eighteen years to be present in bowling alleys

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 207, on third reading, entitled:

An Act providing for commissioning as police officers, certain employes of institutions maintained in whole or in part by the Commonwealth; conferring upon them the powers of constables in certain cases; and imposing duties on wardens and keepers of jails, police stations and lockups.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 230, entitled:

An Act to amend section two of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 228) entitled "A supplement to the act approved the eighteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred forty) entitled 'An act concerning declaratory judgments and decrees and to make uniform the law relating thereto' prescribing the practice to be pursued in such proceedings" making further provision for the service and return of petitions for declaratory judgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 228) entitled "A supplement to the act approved the eighteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred forty) entitled 'An act concerning declaratory judgments and decrees and to make uniform the law relating thereto' prescribing the practice to be pursued in such proceedings" is hereby amended to read as follows

Section 2 (a) The petition shall have endorsed thereon a notice to the defendant or defendants as follows "You are required to file an answer within fifteen days from the service of this copy upon you and to enter a written appearance in the court named to the term and number stated hereon specifying a person and a place within the county where service may be made upon you of all other papers processes and notices in the case

If you fail in either respect a declaratory judgment or decree may be entered against you in your absence"

(b) [Petitions for declaratory judgments shall be served and return made in the same manner as in the case of summons] Petitions for declaratory judgments may be served upon parties to the proceedings by the petitioner or by any authorized agent or if required by the petitioner it shall be served by the sheriff or coroner as the case may require of the proper county The manner of service shall be by giving a copy thereof to the party to be served personally or by leaving such copy with some adult member of his family at his place of residence

(c) Such service may be made anywhere within this Commonwealth and if any party required to be served resides outside the Commonwealth and his place of residence is known and the proceeding concerned property situate within this Commonwealth the court may in its discretion authorize service to be made on such party personally wherever found or by registered mail or may direct notice to be given by publication in such manner as shall appear to the court to be reasonable and proper according to general rules adopted by the court or special orders made by the court in particular cases

(d) The return of service of the petition if made by the petitioner or his agent as aforesaid shall be on oath or affirmation and in all cases of service the return of service shall state how such petition was served

Section 2 The provisions of this act shall become effective immediately upon its final enactment and shall apply to all cases now pending as well as to all future proceedings

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,
Carr,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Kephart,
Letzler,
Mallery,
McCreesh,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Taylor,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—1

Barr,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 232 on third reading, entitled:

An Act to amend section one of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 982), entitled "An act relating to the clerk of the court of oyer and terminer, and quarter sessions of the peace, and municipal court, of any county of this Commonwealth, having a population of one million five hundred thousand or over; providing for the salaries and compensation of the clerk of the court of oyer and terminer, and quarter sessions of the peace, and municipal court, deputies, clerks, and employes thereof," by changing titles of various deputies, clerks and employes, and equalizing salaries thereof.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 240, entitled:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by exempting alumni or alumnae associations from the provisions of the act in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 871) is hereby further amended to read as follows

Section 11 This act shall not apply to fraternal organizations incorporated under the laws of the Commonwealth religious organizations raising funds for religious purposes colleges schools universities or associations of alumni or alumnae thereof raising funds for fellowships or scholarships labor unions municipalities or subdivisions thereof nor to charitable institutions or agencies required by the provisions of existing law to file reports with the Department of Welfare or with any other department or office of the Commonwealth

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,
Carr,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—1

Barr,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 241, entitled:

An Act to amend section six hundred twenty-eight of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing for the prescribing issuing and filing of certain forms by and with the Commissioner of the Pennsylvania Motor Police instead of the Secretary of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred twenty-eight of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 628 Uniform Firearms Act (a) Definitions As used in this section

"Firearm" means any pistol or revolver with a barrel less than twelve inches any shotgun with a barrel less than twenty-four inches or any rifle with a barrel less than fifteen inches

"Crime of violence" means any of the following crimes or an attempt to commit any of the same namely Murder rape mayhem aggravated assault and battery assault with intent to kill robbery burglary breaking and entering with intent to commit a felony and kidnapping

"Person" includes firm partnership association or corporation and the masculine shall include the feminine and neuter

(b) Crimes Committed with Firearms If any person shall commit or attempt to commit a crime of violence when armed with a firearm contrary to the provisions of this section he may in addition to the punishment provided for the crime be punished also as provided by this section

(c) Evidence of Intent In the trial of a person for committing or attempting to commit a crime of violence the fact that he was armed with a firearm used or attempted to be used and had no license to carry the same shall be evidence of his intention to commit said crime of violence

(d) Former Convict Not To Own a Firearm etc No person who has been convicted in this Commonwealth or elsewhere of a crime of violence shall own a firearm or have one in his possession or under his control

(e) Firearms Not To Be Carried Without a License Exceptions No person shall carry a firearm in any vehicle or concealed on or about his person except in his place of abode or fixed place of business without a license therefor as hereinafter provided

The provisions of clause (e) shall not apply (I) to constables sheriffs prison or jail wardens or their deputies policemen of the Commonwealth or its political subdivisions or other law-enforcement officers (II) or to members of the army navy or marine corps of the United States or of the national guard or organized reserves when on duty (III) or to the regularly enrolled members of any organization duly authorized to purchase or receive such weapons from the United States or from this Commonwealth (IV) or to the members of any organization incorporated under the laws of this Commonwealth engaged in target shooting with rifle pistol or revolver provided such members are at or are going to or from their places of assembly or target practice (V) or to officers or employes of the United States duly authorized to carry a concealed firearm (VI) or to agents messengers and other employes of common carriers banks or business firms whose duties require them to protect moneys valuables and other property in the discharge of such duties (VII) or to any person engaged in the business of manufacturing repairing or dealing in firearms or the agent or representative of any such person having in his possession using or carrying a firearm in the usual or ordinary course of such business (VIII) or to any person while carrying a firearm unloaded and in a secure wrapper from the place of purchase to his home or place of business or to a place of repair or back to his home or place of business or in moving from one place of abode or business to another (IX) or to persons licensed to hunt or fish in this Commonwealth provided that such persons are actually hunting or fishing or are going to the places where they desire to hunt or fish or returning from such places or to persons training dogs Provided That such persons are actually training dogs during the regular training season Provided however That before any such exemption shall be granted to any person licensed to hunt or fish or who desires to train dogs such person shall at the time of securing his hunting or fishing license or any time after any such license has issued register with the county treasurer the make of the firearm he desires to carry and the caliber and number thereof on a blank to be furnished by the [Secretary of the Commonwealth] Commissioner of Pennsylvania Motor Police The original registration shall be delivered to the person registering such firearm and a copy thereof shall be forwarded by the county treasurer to the [Secretary of the Commonwealth] Commissioner of the Pennsylvania Motor Police The county treasurer shall be entitled to collect a fee of fifteen (15) cents for each such registration of a firearm The registration of a firearm as herein provided shall be good only for the year for which the hunting or fishing license in connection with which it is granted is issued

Any such registration of a firearm may be revoked by the county treasurer issuing the same upon written notice to the holder thereof and any person aggrieved by the action of a county treasurer in revoking such registration may appeal from such action in the manner proviled by clause (k) of this section

(f) Police Heads in Cities and Sheriffs in Counties May Issue Licenses in Triplicate Fee Revocation The chief or head of any police force or police department of a city and elsewhere the sheriff of a county may upon the application of any person issue a license to such person to carry a firearm in a vehicle or concealed on or about his person within this Commonwealth for not more than one (1) year from date of issue if it appears that the applicant has good reason to fear an injury to his person or property or has any other proper reason for carrying a firearm and that he is a suitable person to be so licensed The license shall be in triplicate in form to be prescribed by the [Secretary of the Commoweallth] Commissioner of the Pennsylvania Motor Police and shall bear the name address description and signature of the licensee and the reason given for desiring a license The original thereof shall be delivered to the licensee the duplicate shall within seven days be sent by registered mail to the [Secretary of the Commonwealth] Commissioner of the Pennsylvania Motor Police and the triplicate shall be preserved for six years by the authority issuing said license The fee for issuing such license shall be fifty (50) cents which fee shall be paid into the county treasury except that if the applicant exhibits a resident hunter's license issued to him for the current license year the fee shall not be charged

Any such license to carry firearms may be revoked by the person issuing the same at any time upon written notice to the holder thereof

(g) Persons to Whom Delivery Shall Not Be Made No person shall deliver a firearm to any person under the age of eighteen or to one he has reasonable cause to believe has been convicted of a crime of violence or is a drug addict an habitual drunkard or of unsound mind

(h) Time and Manner of Delivery Statement To Be Signed by Purchaser Sales at Wholesale No seller shall deliver a firearm to the purchaser thereof until forty-eight (48) hours shall have elapsed from the time of the application for the purchase thereof and when delivered said firearm shall be securely wrapped and shall be unloaded At the time of applying for the purchase of a firearm the purchaser shall sign in triplicate and deliver to the seller a statement containing his full name address occupation color place of birth and date and hour of application the caliber length of barrel make model and manufacturer's number of the firearm to be purchased and a statement that he has never been convictel in this Commonwealth or elsewhere of a crime of violence The seller shall within six hours after such application sign and attach his address and forward by registered mail one copy of such statement to the chief or head of the police force or police department of the city or the sheriff of the county of which the seller is a resident the duplicate duly signed by the seller shall within seven days be sent by him with his address to the [Secretary of the Commonwealth] Commission of the Pennsylvania Motor Police the triplicate he shall retain for six (6) years This clause shall not apply to sales at wholesale

(i) Retail Dealer Required To Be Licensed No retail dealer shall sell or otherwise transfer or expose for sale or transfer or have in his possession with intent to sell or transfer any firearm without being licensed as hereinafter provided

(j) Issuance of Licenses Form To Be Prescribed by [Secretary of Commonwealth] the Commissioner of the Pennsylvania Motor Police Conditions Display of Firearms Prohibited License Fee Revocation The chief or head of any police force or police department of a city and elsewhere the sheriff of the county shall grant to reputable applicants licenses in form prescribed by the [Secretary of the Commonwealth] Commissioner of the Pennsylvania Motor Police effective for not more than one (1) year from date of issue permitting the licensee to sell firearms direct to the consumer subject to the following conditions in addition to those specified in clause (h) hereof for breach of any of which the license shall be forfeited and the licensee subject to punishment as provided in this act

I The business shall be carried on only in the building designated in the license

II The license or a copy thereof certified by the issuing authority shall be displayed on the premises where it can easily be read

III No firearm shall be sold (a) in violation of any provision of this section nor (b) shall a firearm be sold under any circumstances unless the purchaser is personally known to the seller or shall present clear evidence of his identity

IV A true record in triplicate shall be made of every firearm sold in a book kept for the purpose the form of which may be prescribed by the [Secretary of the Commonwealth] Commissioner of the Pennsylvania Motor Police and shall be personally signed by the purchaser and by the person effecting the sale each in the presence of the other and shall contain the date of sale the caliber make model and manufacturer's number of the firearm the name address occupation color and place of birth of the purchaser and a statement signed by the purchaser that he has never been convicted in this Commonwealth or elsewhere of a crime of violence One copy shall within six (6) hours be sent by registered mail to the chief or head of the police force or police department of the city or the sheriff of the county of which the dealer is a resident the duplicate the dealer shall within seven (7) days send to the [Secretary of the Commonwealth] Commissioner of the Pennsylvania Motor Police the triplicate the dealer shall retain for six (6) years

V No firearm or imitation thereof or placard advertising the sale thereof shall be displayed in any part of any premises where it can readily be seen from the outside

The fee for issuing said license shall be ten dollars ($10.00) which fee shall be paid into the county treasury

VI Any license granted under this clause may be revoked by the person issuing the same upon written notice to the holder thereof

(k) Petition to Common Pleas for Reversal Any applicant aggrieved by the refusal of his application for a license to carry a firearm or for a dealer's license or any person or retail dealer whose license has been revoked may file within thirty (30) days thereafter in the court of quarter sessions of his county a petition against the official who refused his application as defendant alleging thereing in brief detail the refusal complained of and praying for reversal thereof Upon service of the copy of the petition upon the defendant returnable within ten (10) days from its date the defendant shall on or before the return day file an answer in which he may allege by way of defense the reason for his refusal and such other reasons as may in the meantime have been discovered Upon application of either party the cause shall be heard without delay The court may either sustain or reverse the action of the defendant If the defendant's action is reversed he shall forthwith issue the license upon payment of the fee A judgment sustaining a refusal to grant a license shall not bar after one (1) year a new application nor shall a judgment in favor of the petitioner prevent the defendant from thereafter revoking or refusing to renew such license for any proper cause which may thereafter occur The court shall have full power to dispose of all costs

(l) Loans on or Lending or Giving Firearms Prohibited No person shall make any loan secured by mortgage deposit or pledge of a firearm nor shall any person lend or give a firearm to another or otherwise deliver a firearm contrary to the provisions of this section

(m) False Evidence of Identity No person shall in purchasing or otherwise securing delivery of a firearm or in applying for a license to carry the same give false information or offer false evidence of his identity

(n) Altering or Obliterating Marks of Identification No person shall change alter remove or obliterate the name of the maker model manufacturer's number or other mark of identification on any firearm Possession of any firearm upon which any such mark shall have been changed altered removed or obliterated shall be prima facie evidence that the possessor has changed altered removed or obliterated the same

(o) Antique Firearms This section shall not apply to antique firearms unsuitable for use and possessed as curiosities or ornaments

(p) Violation Penalty Any person violating any of the provisions of this section is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding three thousand dollars ($3,000) or undergo imprisonment not exceeding three (3) years or both

(q) Short Title This section may be cited as the "Uniform Firearms Act"

(r) Uniformity This section shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Barr,
Bowers,
Carr.
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Taylor,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. COLEMAN. Mr. President, at the request of Senator Jaspan, who desires to check on this bill, I ask unanimous consent that Senate Bill No. 267, on third reading, entitled:

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 281, entitled:

An Act to amend section one of the act approved the eleventh day of May one thousand eight hundred ninety three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" authorizing certain corporations to make allowances or pensions to officers or employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eleventh day of May one thousand eight hundred ninety-three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" is hereby amended to read as follows

Section 1 That [from and after the passage of this act] corporations organized for profit under the laws of the Commonwealth of Pennsylvania and subject to the provisions of this act may out of the earnings of said corporation grant allowances or pensions to officers or employes for faithful and long continued service who have in such service become old infirm or disabled

Provided that the provisions of this act shall not apply to any director [or officer] of any such [company or] corporation who is not an officer or employe of said corporation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Barr,
Becker,
Carr,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Ealv.
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 290, on third reading, entitled:

An Act to amend sections one and seven of the act, approved the twenty-first day of July, one thousand nine hundred forty-one (P. L. 425), entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses, regulating the amount, payment and taxation as costs thereof, and repealing inconsistent legislation," further regulating the payment of witnesses and the taxation thereof as costs of the proceeding

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 297, entitled:

An Act to amend Article II section two hundred two and to repeal Article IV section four hundred thirty-three and Article XVIII section one thousand eight hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1 Article II section two hundred two of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or officers as the case may be in the respective administrative departments mentioned in the preceding section as follows

- In the Department of State
  - State Employes' Retirement Board
- In the Department of Justice
  - Board of Pardons
  - Board of Commissioners on Uniform State Laws
- In the Treasury Department
  - Board of Finance and Revenue
- In the Department of Internal Affairs
  - Board of Property
  - State Aeronautics Commission
- In the Department of Public Instruction
  - State Council of Education
  - Pennsylvania State Board of Censors
  - Public School Employes' Retirement Board
  - Pennsylvania Historical Commission
  - Board of Trustees of Thaddeus Stevens Industrial School

Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Home for Training in Speech of Deaf Children before They Are of School Age which shall hereafter be known as Board of Trustees of Home Training in Speech of Deaf Children
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers College
Board of Trustees of Millersville State Teachers College
Board of Trustees of Kutztown State Teachers College
Board of Trustees of East Stroudsburg State Teachers College
Board of Trustees of Mansfield State Teachers College
Board of Trustees of Bloomsburg State Teachers College
Board of Trustees of Shippensburg State Teachers College
Board of Trustees of Lock Haven State Teachers College
Board of Trustees of Indiana State Teachers College
Board of Trustees of California State Normal School
Board of Trustees of Slippery Rock State Teachers College
Board of Trustees of Edinboro State Teachers College
Board of Trustees of Clarion State Normal School
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Undertakers
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers

In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
State Athletic Commission

In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission

In the Department of Agriculture
State Farm Products Show Commission

In the Department of Forests and Waters
Water and Power Resources Board
Geographic Board
[Lake Erie and Ohio River Canal Board]
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission

In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors

In the Department of Health
Sanitary Water Board
Anatomical Board

In the Department of Labor and Industry
Workmen's Compensation Board
Workmen's Compensation Referees
State Workmen's Insurance Board

In the Department of Welfare
State Council for the Blind
Pennsylvania Alcohol Permit Board
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial Reformatory
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
Board of Trustees of Cumberland Valley State Institution for Mental Defectives
Board of Trustees of Selinsgrove State Colony for Epileptics

In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings
State Art Commission

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Article IV section four hundred thirty-three and Article XVIII section one thousand eight hundred ten of the same act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Barr,
Becker,
Carr,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Taylor,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

REQUEST THAT BILL GO OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 311, on third reading, entitled:

An Act relating to appointments, reclassifications and promotions under any civil service system of this Commonwealth, since March sixteenth one thousand nine hundred forty-two until a period after the cessation of hostilities; making such appointments of war duration; providing for examinations at the end of such period; abolishing the State Civil Service Commission during such period; providing for the appointment of members at the end thereof; conferring powers and imposing duties on the Superintendent of Public Instruction; suspending inconsistent laws; and prohibiting the establishment of civil service system by rule or regulation for a limited period

go over in its order.

The PRESIDENT. Is there objection?

Mr. BARR. Mr. President, I object.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 311, Printer's No. 125, go over in its order.

Mr. WALKER. Mr. President, I second the motion.

It was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 312, entitled:

An Act to further amend section one thousand four hundred and thirty-nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for payment for education of blind children out of appropriations made to the Department of Public Instruction for such purposes and conforming said section to existing law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred and thirty-nine of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 206) is hereby further amended to read as follows

Section 1439 The State [Board] Council of Education is authorized to educate blind children residing in this Commonwealth under the age of eight years whenever from any cause the parent or parents thereof may be unable to properly educate them With the written consent of the proper parents parent or nearest relative if there be no parents or the [poor] local authorities of the proper [poor] institution district if there be neither parents nor relatives the [board] State Council of Education may conract with any non-sectarian institution in this State or elsewhere established for the education of the blind whereby any such child may at a cost not exceeding one dollar and fifty cents per day to be paid [out of the State school und] by the Commonwealth out of fundsd appropriated o the Department of Public Instruction for the education f blind children be educated until it shall reach the age f eight years Provided That such education may be coninued beyond the age of eight years when for physical mental or other proper reasons such child or children need special care for a longer period The contract may be cancelled and the child or children removed at any time by the [board] State Council of Education This act shall not repeal or modify any existing act relative to the education of the blind

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Barr,
Becker,
Carr,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Taylor,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 313, entitled:

An Act authorizing the Department of Public Instruction to act as agent for the several school districts and vocational school districts in the purchase without bids and distribution among such districts of material supplies and equipment subject to priorities and on which prices have been stabilized to be used in vocational education of workers on war work and validating such action heretofore taken

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In lieu of cash purchases that the several school districts and vocational school districts are now authorized to make the Department of Public Instruction shall have power to act as the agents of the several school districts and vocational school districts desiring the same in the purchase for and distribution among the school districts and vocational school districts of material suplpies and equipment to be used for training or retraining workers and prospective workers for industries essential to the proper conduct of the war without advertising for or soliciting bids whenever such material supplies or equipment is subject to priorities imposed by the Federal Government and the prices thereof have been stabilized by action of an agency of the Federal Government and the same are to be paid for entirely from Federal funds appropriated or to be appropriated to vocational education for national defense or for carrying on of the war

Section 2 The action of the Department of Public Instruction in making any such purchases for and in making distribution among any school districts or vocational school districts prior to the effective date of this act and the action of any school district or vocational school district in making purchases of such material supplies or equipment through the Department of Public Instruction acting as the agent of such school district or vocational school district are hereby ratified confirmed and made valid to the same extent and with the same effect as though the same had been previously authorized by law

Section 3 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

NAYS—28

Barr,
Becker,
Carr.
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Ealy
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 314, on third reading, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by changing the provisions for supervisors of special education in counties employing fewer than five hundred and fifty teachers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 341, on third reading, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations, and joint-stock associations; providing the manner of collecting such tax and prescribing penalties," by further extending the exemptions from the tax imposed by the said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 346, on third reading, entitled:

An Act suspending for the duration of the present national emergency, and for six months thereafter, the statutory provisions as to advertising and competitive bidding on contracts of counties, institution districts, cities and boroughs, for the purchase of goods, materials, and merchandise which are rationed or on which a maximum price ceiling has been fixed under regulations of the Federal Government, and providing for the award of contracts in such cases to the lowest and best bidder after due inquiry

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 351, on third reading, entitled:

An Act to further amend section one thousand two hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for sabbatical leaves of absence for employes of State teachers colleges and the Cheyney Training School for Teachers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 401, entitled:

An Act to amend section five hundred twenty-five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departmnets boards and commissions shall be determined" as amended by making provision for the destruction o certain records in the various administrative departments boards or commissions after such records have been first microfilmed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred twenty-five of the ac approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providin for and reorganizing the conduct of the executive an administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof includin the boards of trustees of State Normal Schools or Teacher Colleges abolishing creating reorganizing or authorizin the reorganization of certain administrative department boards and commissions defining the powers and duties o the Governor and other executive and administrativ officers and of the several administrative department boards commissions and officers fixing the salaries of th Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputie and other assistants and employes in certain department boards and commissions and prescribing the manner i which the number and compensation of the deputies an all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of July one thousand nine hundred forty-one (P. L. 429) is hereby further amended to read as follows

Section 525 Any administrative department board or commission may with the approval of the Executive Board have microfilm records made of any correspondence records or other papers for the purpose of protecting and safeguarding the original correspondence records or other papers or for the purpose of conserving filing space and such microfilm reproduction shall when properly identified be admitted in evidence in any proceedings in place of the original correspondence records or other papers In any case where original correspondence records or other papers are microfilmed under the provisions of this section for the purpose of conserving filing space the administrative department board or commission concerned may with the approval of the Executive Board destroy such original correspondence records or other papers

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The years and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Barr,
Becker,
Carr,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Taylor,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, in absence of the sponsor I ask unanimous consent that Senate Bill No. 422, on third reading, entitled:

An Act to further amend section one of the act, approved the sixteenth day of April, one thousand nine hundred seven (P. L. 92), entitled as amended "An act defining the duty of coroners, where death is sudden or violent, or is of a suspicious nature and character, and of police, and health authorities, in this Commonwealth, in deference to the disposition of bodies of persons whose cause of death may be the subject of injury by the coroner, but where it appears the cause of death is not surrounded by suspicious circumstances," by providing that investigations of deaths caused by accidents shall be made by the coroner of the county in which the accident causing death occurred

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 475, entitled:

An Act to further amend section twenty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by providing that in the case of any spouse on active duty in the armed service of the United States in time of war the affidavit accompanying his or her libel in divorce may be taken within or without the Commonwealth before any officer commissioned in the armed forces of the United States authorized by law to take affidavits and acknowledgments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" as amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1020) is hereby further amended to read as follows

Section 25 Presentation of Libel Contents Affidavit Any spouse may have his or her petition or libel in divorce presented to the court of common pleas when in session or during vacation to a judge thereof at chambers The petition or libel shall set forth therein particularly and specifically the cause of his or her complaint and shall be accompanied with an affidavit on oath or affirmation taken before one of the said judges or the prothonotary or clerk of the court of common pleas or any person in any county of the Commonwealth legally authorized to take acknowledgment that the facts contained in said petition or libel are true to the best of his or her knowledge and belief and that the said complaint is not made out of levity or by collusion between the said husband and wife and for the mere purpose of being freed and separated from each other but in sincerity and truth for the causes mentioned

In the case of any spouse on active duty in the armed service of the United States in time of war the affidavit accompanying his or her libel in divorce may be taken within or without the Commonwealth before any officer commissioned in the armed forces of the United States authorized by law to take affidavits and acknowledgments

In cases where the respondent is a hopeless lunatic or non compos mentis the fact of lunacy of the respondent and such circumstances as may be sufficient to satisfy the mind of the court as to the truth of the allegation shall be set forth in the petition or libel and affidavit required by this section shall be taken by the petitioner

In cases where the libellant is a minor the libel shall be presented by a relative or next friend and the affidavit thereto shall be taken by such minor libellant

The court may allow any libel to be amended so as to include additional grounds or causes for divorce including such as arose subsequent to the awarding of the subpoena Notice of any such amendment shall be served on the respondent in such manner as the court may direct in its order allowing the amendment

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,
Carr,
Coleman,
Cox,
Ealy,
Farrell,
Geltz,
Gourley,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Thomas,
Wade,
Walker,
Watkins,

Crider,
Deitrick,
Dent,
Heyburn,
Holland,
Kephart,
Ruth,
Snowden,
Stevenson,
Wilson, H. I.,
Woodring,

PRESENT—1

Barr,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 504, entitled:

An Act providing that persons in the armed forces and merchant marine of the United States and its allies may renew licenses or certificates to engage in professions and occupations after discharge from military service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The word "person" as used in this act shall mean any individual whether male or female who may during this war have been is now or may hereafter during this war become engaged in the service of the United States of America or its allies as a member of the armed forces or of the merchant marine thereof or of any auxiliary thereof subject to military discipline

Section 2 Any person so engaged whose right to practice any trade vocation calling occupation or profession in this Commonwealth or any part thereof depends upon or is in any way connected with the renewal of a certificate or license held by him or her right to practice such trade vocation calling occupation or profession shall be entitled to apply for the renewal thereof at any time not exceeding one year from the date of final discharge from the aforesaid service of the United States of America or of any of its allies In case such discharge takes place beyond the limits of the United States of America such person shall be entitled to two years from the date thereof to make application for the renewal thereof

Section 3 This act shall apply specifically to any holder of any license or certificate granted or renewed by any professional examining board within the Department of Public Instruction of this Commonwealth It shall also apply specifically to the holder of any license to act as a real estate or insurance broker or salesman and to the holder of a certificate to teach a certificate as a school nurse a dental hygienist or a home and school visitor of this Commonwealth

Section 4 All acts and parts of acts in so far as inconsistent with the provisions of this act are hereby repealed

Section 5 If any provision of this act or the application thereof to any person or circumstance is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are declared to be severable

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Barr,
Becker,
Dent,
Ealy,
Kephart,
Letzler,
Stevenson,
Thomas,

Carr,
Coleman,
Cox,
Crider,
Deitrick,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 688 on third reading, entitled:

An Act authorizing political subdivisions to refund money erroneously or inadvertently paid by persons and corporations into the treasury thereof for municipal improvements or upon municipal assessments liens whereof have been subsequently declared illegal and invalid

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 14, on second reading, entitled:

An Act establishing the Pennsylvania State Technical School of Aeronautics; providing for the taking over of one of the State teachers' colleges therefor, and for the appointment of a committee to select the same; imposing duties on the Department of Property and Supplies; creating the Board of Trustees of the Pennsylvania State Technical School of Aeronautics; and prescribing its powers and duties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in the Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 60, entitled:

An Act to further amend section forty-six of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," extending the right to alimony pendente lite, counsel fees and expenses to husbands.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 79, on second reading, entitled:

An Act relating to the investing, reinvesting, acquiring, exchanging, retaining, selling, and managing property by fiduciaries, and repealing acts or parts of acts inconsistent herewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 142, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon providing for and imposing powers and duties upon a Capitol Park Extension Commission conferring powers and duties upon the Department of Property and Supplies and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 146, entitled:

An Act to further amend clause one of section three and section twelve of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further extending the time for present employes as defined in the act to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 211, entitled:

An Act to further amend section nine hundred eight subsection A of section one thousand six subsection A of section one thousand twelve and subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments, commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the amount and maintenance of reserve funds by banks and banks and trust companies and authorizing certain loans by banks and banks and trust companies which are guaranteed against loss by certain Federal agencies investments in second liens in cases and under conditions herein specified and further providing for the powers and limitations upon powers of corporations with fiduciary powers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 100 CALLED UP

Mr. BARR. Mr. President, I would like to call up from page 3 of today's Calendar, Senate Bill No. 100, and move that this bill be passed on finally.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 100, entitled:

An Act to re-enact and further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receiver and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by authorizing commissioners to sell lands purchased at treasurers' sales upon which the period of redemption has expired and providing for notice of such sale or sales

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 498) is hereby re-enacted and further amended to read as follows

Section 17 If the owner of any real property his heirs or legal representatives or lien creditors his heirs assigns or legal representatives or other person interested in property so purchased by the county commissioners shall not redeem the same within such period the county commissioners shall within [six months] two years after the expiration of such period sell such lands at public sale or by private sale in the manner provided by law for the best price or prices obtainable Any such lands now owned by the county for which the redemption period has expired shall be sold as herein provided within [six months] one year after the effective date of this act After any such sale or in the case of any redemption the property shall be charged by the assessor in the name of the last purchaser or redeemer and such lands shall again be liable for taxes as other lands

The county commissioners before making public sale of real property purchased by them at tax sales shall give at least thirty days' notice once a week for three consecutive weeks of such sales particularly designating the tracts that are to be sold This notice shall be inserted in two newspapers published in the county if so many are published in said county if there be only one then in such newspaper published in the county

Such advertisement shall set forth

(a) The purpose of such sale

(b) The time of such sale

(c) The place of such sale

(d) The terms of such sale

(e) A list of [seated] lands affected and their location and the owner or reputed owner of each

After such sale the county commissioners shall make and deliver a deed being acknowledged before an officer authorized to acknowledge deeds Such deed shall pass such title as the county commissioners have a right to convey

Where any such public sale has been advertised under the provisions of this section prior to this amendment and such sale not having been held the readvertisement of such sale need not be advertised three consecutive weeks nor include a list and description of the lands to be sold but need only be advertised by one insertion in one or two newspapers as aforesaid at least thirty days prior to the sale and include the purpose the time the place and the terms of such sale with a reference to the prior advertisement

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Barr,
Becker,
Carr,
Coleman,
Cox,
Crider,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Stevenson,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 238, entitled:

An Act to amend sections four and six of, and to add section 7.1 to, the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commission, after popular referendum, and the appointment of their members by the county commissioners; prescribing the powers and duties of such commissions," providing that the Secretary of Agriculture cooperate with, and be a member ex-officio of, the county mosquito extermination commission; prescribing powers and duties of the Secretary of Agriculture and said commissions; providing that costs of abating nuisances from breeding of mosquitoes larvae may be assessed against lands where breeding exists; and providing that said act shall not apply to counties of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 239, entitled:

An Act to amend sections one and two of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commissions, after popular referendum, and the appointment of their members by the county commissioners; prescribing the powers and duties of such commissions," by providing for abolition of existing mosquito extermination commissions after popular referendum.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 268, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic, weak-minded person, presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 294, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same;

providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by specifically exempting from county personal property tax liability, certain shares of stock in foreign insurance companies liable to a tax on their gross premiums under section twenty-four of the act, approved the first day of June, one thousand eight hundred and eighty-nine (P. L. 420), as amended.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 320, entitled:

An Act to amend the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, reenactments and repeals of statutes," further providing for the position of the enacting clause, and the construction of provisos; prescribing the effect of amendments on limitations and periods of time; and further defining the phrase "political subdivision."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 361, entitled:

An Act regulating commercial strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, including issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 388, entitled:

An Act to amend sections three and four of and to add section 6.1 to the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties, cities, boroughs and incorporated towns.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 388, entitled:

An Act to amend section four hundred and twenty A of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by giving minors of the age of eighteen years and upwards full power and authority to make contracts of insurance or annuity with any life insurance company authorized to do business in the Commonwealth of Pennsylvania and to exercise all the powers rights and privileges of ownership conferred on them under the terms of any and all such contracts applied for or issued to them regardless of whether such contracts were issued before or after such minors reached the age of eighteen years with the same force and effect as if they were of age.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 389, entitled:

An Act to amend clause (g) of section three of, and to add section fourteen and one-tenth to, the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities;

authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 404, entitled:

An Act to amend section one of the act, approved the twenty-fourth day of April, one thousand nine hundred thirty-one (P. L. 48), entitled "An act requiring the recording of certain written agreements pertaining to real property, and prescribing the effect thereof as to subsequent purchasers, mortgagees, and judgment creditors of the parties thereto," requiring that written agreements pertaining to real property be acknowledged by the sellers or grantors therein.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 407, entitled:

An Act to amend section three of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all socities to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," providing for the waiving of the requirement for the holding of meetings by societies under certain conditions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 473, entitled:

An Act to repeal the act approved the twenty-seventh day of February one thousand eight hundred seventy-two (P. L. 1179) entitled "An act to provide for the more economical collecting of state county poor and military taxes in the county of Huntingdon."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 487, entitled:

An Act to amend section three of the act approved the third day of May, one thousand nine hundred and nine (P. L. 413), entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacate or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess of surplus," by providing for granting of warrants and rights to certain additional lands.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 533, entitled:

An Act to amend the title and Section 1 of and to add Section 2.1 2.2 2.3 and 2.4 to the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 496) entitled "An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands" providing that in counties of the seventh and eighth classes taxes on unseated lands shall be returned by the tax levying authorities to the county commissioners and collected by the county treasurer.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 694, entitled:

An Act to amend sections one, five, seven, nine and twelve, and to repeal section six of the act, approved the twenty-seventh day of May, one thousand nine hundred and thirty-seven (P. L. 901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers, and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties," by changing definitions, the period of the license and the fee therefor, and the contents of records; eliminating the requirement for a bond, and adding to the reasons for refusing licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 695, entitled:

An Act to repeal the act approved the twenty-third day of June one thousand eight hundred ninety-seven (P. L. 202) entitled "An act to prevent fraud and deception in the manufacture and sale of cheese and defining what shall constitute the various grades of cheese providing rules and regulations for marking and branding the same providing for the enforcement of this act prescribing penalties for its violation."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 696, entitled:

An Act to repeal the act approved the eighteenth day of June one thousand eight hundred ninety-seven (P. L. 168) entitled "An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standard to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 697, entitled:

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 650), entitled "An act requiring persons, associations, partnerships and corporations, and their agents, herein defined as dealers and brokers, engaging in the business of buying, receiving selling, exchanging, negotiating, or soliciting the sale, resale, exchange, or transfer of certain domestic animals, to be licensed by the Department of Agriculture; providing for the revocation of such licenses; imposing certain duties on such dealers and brokers, and their agents; conferring powers on said department; and providing penalties," by changing the definition of "dealer."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. THOMAS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMAS, from the Committee on Highways, reported as amended, Senate Bill No. 65, entitled:

An Act to further amend section one of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 392), entitled "An act providing that highways, or sections thereof, abandoned as State highway routes, shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways," by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township, borough, incorporated town or city within they are located, after being improved and repaired by the Department of Highways and by adding a new section to provide that portions or sections of the old highway which are not included within the changed, altered or established widths, shall be considered vacated if such portions or sections are not of the full width of the highway as previously established.

BILL INTRODUCED AND REFERRED

Mr. HOLLAND. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOLLAND read in place anl presented to the Chair Senate Bill No. 491, entitled:

An Act to further amend the first paragraph of section four and sections nine and eleven of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 463), entitled as amended, "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities! authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency theerof; and for other purposes," including among the authorized "projects" of Authorities, plants and facilities for the production, generation, transmission, distribution or furnishing of electricity or natural or artificial gas for the production of light, heat or power; and including such plants and facilities among those which may be transferred or leased to Authorities by public or private owners, and that they may be acquired by Authorities by purchase or eminent domain.

Which was committed to the Committee on Municipal Government.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. HENRY I. WILSON. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 11, entitled:

An Act to amend section eighteen of the act, approved the thirteenth day of June, one thousand eight hundred thirty-six (P. L. 551), entitled "An act relating to roads, highways and bridges," authorizing vacation of parts of public roads where termini of remaining parts of road are not in public highway or place of public resort.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 48, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending certain provisions of Section one thousand and twelve thereof for the duration of the war and six (6) months thereafter.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 49, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending the provisions of Section nine hundred and two (f) thereof for the duration of the war and six (6) months thereafter.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 63, entitled:

An Act to amend the act approved the twenty-second day of April, one thousand nine hundred and thirty-seven (P. L. 394), entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions," by adding certain other conditions under which the Secretary of Highways may disregard terminal points.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 64, entitled:

An Act authorizing the Secretary of Highways to establish, construct and maintain parallel or approximately parallel State Highways in townships, boroughs, incorporated towns and cities in certain cases, providing for the payment of property damages resulting therefrom and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 65, entitled:

An Act to further amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 392) entitled "An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways" by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township borough incorporated town or city within which they are located after being improved and repaired by the Department of Highways and by adding a new section to provide that portions or sections of the old highway which are not included within the changed altered or established widths shall be considered vacated if such portions or sections are not of the full width of the highway as previously established.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 71, entitled:

An Act to amend section three of the act approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 754), entitled "An act providing for the survey, construction, reconstruction, improvement, and maintenance of an Industrial State Highway between the cities of Chester and Philadelphia, and making the same a part of the system of State Highways; providing for the taking of certain roads and of certain private property therefor under the power of eminent domain, and the payment of damages by certain counties; and imposing certain powers and duties upon the Highway Commissioner and county commissioners," providing for ascertaining damages or the taking of private property and payment thereof in the same manner as provided by law in the case of State Highways.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 105, entitled:

An Act to amend section two thousand three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof including the boards of trustees of State Normal Schools, or Teachers College; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissioners, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," authorizing the Department of Highways to condemn rights-of-way as agent for the Federal Government.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 191, entitled:

An Act authorizing guardians and trustees to purchase life endowment or annuity contracts in companies approved and duly authorized to carry on such business in the Commonwealth of Pennsylvania.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 304, entitled:

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further reulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts.

And said bill having been read at length the first time.

Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 305, entitled:

An Act to further amend the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspector of registration and other appointee of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controller registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing certain provisions of said act relating to removal notices and eliminating electors' rights to file removal notices in certain cases.

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 347, entitled:

An Act to add section six hundred seventeen and one-tenth to the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for special operators' licenses after suspension for persons required to operate motor vehicles in course of employment.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 462, entitled:

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States, or from any women's organization officially connected therewith, without a learners permit, examination, or additional fee, and while in such service the operation of motor vehicles without operator's license or motor vehicle registrations and the temporary suspension of existing laws requiring the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 551, entitled:

An Act to amend section four of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and mechandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalty for the violation thereof and for the imposition of license fees for permission to conduct the same" by forbidding the continuation of the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 644, entitled:

An Act to further amend sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery and fixing fees therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 36

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, March 31, 1943.

Resolved (if the House of Representatives concur), That Senate Bill No. 36, Printer's No. 84, entitled "An act to amend section twenty of the act approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled 'An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled "An act creating the Department of Health and defining its powers and duties," approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act,' as amended, by providing for the payment of fees to local registrars of vital statistics by the Commonwealth."

be recalled from the Governor for the purpose of further consideration.

BILL INTRODUCED AND REFERRED

Mr. WATKINS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS. read in place and presented to the Chair Senate Bill No. 492, entitled:

An Act to reenact and further amend the title of, and the act, approved the twenty-ninth day of September, one thousand nine hundred thirty-eight (P. L. 53), entitled "An act relating to institutions of counties, cities and institution districts for the care, maintenance and treatment of mental patients; providing for the transfer of such institutions to the Commonwealth; providing for the management and operation or closing and abandonment thereof, and the maintenance of mental patients therein, including the collection of maintenance in certain cases; providing for the retransfer of certain property to institution districts under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities and institution districts certain powers and duties; prohibiting cities, counties and institution districts from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws," including institutions of wards, boroughs, townships and other political subdivisions under the terms thereof; and providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Monday, April 5, 1943, at 4:00 o'clock, p. m., Eastern War Time.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:22 o'clock p. m., Eastern War Time, until April 5, 1943, at 4:00 o'clock p. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

THURSDAY, April 1, 1943.

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O God, how often we have tasted life without thought of what our enjoyment has cost in the slow and patient labors of others! May we never heedlessly accept our heritage from the past. May we remember that our blessings have all been purchased at the price of some other's work and pain. Make us worthy followers of those who have gone before. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, March 31, 1943.

The Clerk proceeded to read the Journal of Wednesday, March 31, 1943, when, on motion of Mr. MINTESS, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. BROWN and THOMPSON.

HOUSE BILL No. 1076.

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Referred to the Committee on Appropriations.

By Messrs. ROWLEY and CALVIN.

HOUSE BILL No. 1077.

An Act to further amend section one thousand six hundred and one of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by temporarily regulating the length of school terms.

Referred to the Committee on Education.

By Messrs. ROWLEY and CALVIN.

HOUSE BILL No. 1078.

An Act to further amend section four hundred one of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent thereof," authorizing the establishment and operation of summer schools.

Referred to the Committee on Education.

By Messrs. ROWLEY and CALVIN.

HOUSE BILL No. 1079.

An Act to further amend subsection (b) of paragraph nineteen of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for minimum salary of teachers in summer schools, and for payments by the Commonwealth on account thereof.

Referred to the Committee on Education.

By Messrs. BRADLEY and GRANT.

HOUSE BILL No. 1080.

An Act requiring public utility companies furnishing electric current measured by meters to inspect such meters periodically; and providing penalties.

Referred to the Committee on Public Utilities.

By Messrs. BRETHERICK and O'NEILL.

HOUSE BILL No. 1081.

An Act relating to anthracite mine subsidence; levying a tonnage tax on antharcite coal prepared for market in this Commonwealth, payable to the Anthracite Mine Subsidence Commission, and to be expended by it for the prevention of anthracite mine subsidence; giving the commission the right of access to mines and to the records of mine operators, imposing duties on owners and operators of mines; providing for reimbursement to such owners and operators who have paid the tax imposed hereby; providing for employes of the commission, enlarging its powers and duties; and prescribing penalties.

Referred to the Committee on Ways and Means.

By Messrs. LICHTENWALTER and BROWN.

HOUSE BILL No. 1082.

An Act authorizing the Governor of the Commonwealth of Pennsylvania, for a limited period of time, to suspend or modify laws either in whole or in part under certain circumstances, during the existence of the present war.

Referred to the Committee on State Government.

By Mr. AUKER. HOUSE BILL No. 1083.

An Act to further amend the act, approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenaes by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of recorls and the filing of reports by milk dealers, and permitting with limitations, the use of information obtained thereby, authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor, with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals, prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by providing that the Milk Control Commission shall operate as a departmental administrative commission in the Department of Agriculture; further providing as to the membership of said commission, and the qualifications, terms of office compensation and meetings of such members; providing for the appointment, compensation and duties of an executive secretary; and requiring the commission to fix twice annually the milk prices paid to producers.

Referred to the Committee on Dairy Industries.

By Mr. WINNER. HOUSE BILL No. 1084.

An Act imposing a State tax, payable by those herein defined as distributors, on the sale of oleomargarine, butterine, and other similar products, whether or not colored in imitation of yellow butter, used or sold and delivered within the Commonwealth; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers and such distributors; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation.

Referred to the Committee on Ways and Means.

By Mr. WINNER. HOUSE BILL No. 1085.

An Act to further amend Section two of the act, approved the twenty-ninth day of May, one thousand nine hundred and one (P. L. 327). entitled "An act to prohibit the manufacture and sale of oleomargarine, butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms, and boarding houses; for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter; and to regulate the manufacture and sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture and sale as an imitation butter; and to prescribe penalties and punishment for violation of this act, and the means and method of procedure for its enforcement, and regulate certain matters of evidence in such procedure," by reducing the amount of license fees payable thereunder and conforming the provisions of said section to existing law.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 20.

An Act to amend sections nine hundred twenty-two and nine hundred seventy-nine of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing for nominations where successful candidates have died before or on the day of the primary.

Referred to the Committee on Elections.

SENATE BILL No. 37.

An Act to amend section five hundred forty of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," further regulating the adjustment of indebtedness where part of a township is annexed to a city of the third class

Referred to the Committee on Cities—Third Class.

SENATE BILL No. 359.

An Act to amend section sixteen of the act, approved the twelfth day of July, one thousand nine hundred thirteen (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by extending its powers to include the issuance of writs of habeas corpus.

Referred to the Committee on Judiciary General.

SENATE BILL No. 296.

An Act to repeal the act approved the twenty-seventh day of June one thousand nine hundred thirteen (P. L. 652) entitled "An act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers, in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof; providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities; providing for the creation of a canal board to have charge of said work; prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on; providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred; providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances; imposing certain duties upon the Auditor General and State Treasurer; authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor; and making an appropriation for carrying out certain provisions of this act", as amended by the act of the seventeenth day of June one thousand nine hundred fifteen (P. L. 990)

Referred to the Committee on State Government.

SENATE BILL No. 39.

An Act to amend section seven hundred seventeen of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," further regulating the adjustment of liabilities and property where part of a township is annexed to a borough

Referred to the Committee on Boroughs.

SENATE BILL No. 56.

An Act to amend section ten of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by changing the requirements as to the service of apprentices in beauty shops.

Referred to the Committee on Professional Licensure.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. TROUT. (Concurrent) RESOLUTION No. 50.

In the House of Representatives, March 31, 1943.

Memorializing the Congress of the United States to amend the constitution of the United States, relative to taxes on incomes, gifts and inheritances; and providing limitations on taxes so levied; and repealing the sixteenth amendment to the constitution of the United States.

Whereas, There is now pending in the current session of the Congress of the United States, proposed legislation to repeal the sixteenth amendment to the constitution of the United States, and to amend the constitution of the United States relative to taxes on incomes, gifts and inheritances; and providing for a limitation of taxes thereon; and

Whereas, The people of the state of Pennsylvania are greatly interested in the passage of such legislation; now, therefore, be it

Resolved by the House of Representatives of the State of Pennsylvania; the Senate concurring, That the Congress of the United States be memorialized as follows: That application be and it is hereby made to the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States:

Article

Sec. 1. The sixteenth amendment to the Constitution of the United States is hereby repealel.

Sec. 2. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several states, and without regard to any census or enumeration: Provided, That in no case shall the maximum rate of tax exceed twenty-five per centum.

Sec. 3. The maximum rate of any tax, duty, or excise which Congress may lay and collect with respect to the devolition or transfer of property, or any interest therein, upon or in contemplation of death or intended to take effect in possession or enjoyment at or after death or by way of gift, shall in no case exceed twenty-five per centum.

Sec. 4. Section 1 and 2 shall take effect at midnight on the thirty-first lay of December following the ratification of this article. Nothing contained in this article shall effect the power of the United States after said date to collect any tax on incomes for any period ending on or prior to said thirty-first day of December laid in accordance with the terms of any law then in effect.

Sec. 5. Section 3 shall take effect at midnight on the last day of the sixth month following the ratification of this article. Nothing contained in this article shall effect the power of the United States to collect any tax on any devolution or transfer occurring prior to the taking effect of Section 3 laid in accordance with the terms of any law then in effect.

Be it further resolved, That the Congress of the United States be, and it hereby is, requested to provide, as the mode of ratification, that said amendment shall be valid to all intents and purposes, as part of the constitution of the United States, when ratified by the legislatures of three-fourths of the several states;

Be it further resolved, That the Secretary of State be, and he hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives in the Congress of the United States, and to each Pennsylvania member thereof.

Referred to the Committee on Federal Relations.

By Mr. REGAN. RESOLUTION No. 51.

In the House of Representatives, March 31, 1943.

Whereas, The millions of men and women who are now or hereafter may be in service with the armed forces of the United States or with any woman's organization auxiliary thereto have been forced to undergo considerable financial sacrifice by reason of their leaving civilian life; and

Whereas, A considerable portion of such men and women will be in actual physical danger during their period of service; and

Whereas, The many other burdens, inconveniences, and sacrifices imposed upon men and women in the armed service are such that it is entirely unfair and inequitable to subject them to the payment of Federal income tax upon the compensation or salary received while in service; now therefore be it

Resolved, That the House of Representatives hereby memorializes the Congress of the United States to enact suitable legislation exempting men and women in the armed services of the United States or in any woman's organization auxiliary thereto, from any liability to pay Federal income tax upon their compensation or salary received while in such service; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, each of the presiding officers of the two branches of Congress, and to each United States Senator and Member of the House of Congress from this Commonwealth.

Referred to the Committee on Federal Relations.

By Mr. MINTESS. (Concurrent) RESOLUTION No. 52.

In the House of Representatives, March 31, 1943.

Thadeus Stevens, best known as the founder of the public school system of the Commonwealth, and who introduced the resolution that afterwards became the Fourteenth Amendment of our Federal Constitution, was born in Danville, Vermont, on April 4th, 1792.

He graduated from Dartmouth College in 1814 and then moved to York, Pennsylvania. He was later admitted to the bar in Maryland, and practiced law in Gettysburg for fifteen years.

His assistance was of great value in the organization of the Republican Party, and he assumed its leadership in Pennsylvania by common consent.

It was, however, his deep interest in the emancipation of the slaves, and his untiring efforts in the establishing of the public school system in this Commonwealth that has made for him an outstanding place in the history of the Commonwealth; therefore be it

Resolved (if the Senate concur), That the Governor shall, at an appropriate time, issue his proclamation, designating and calling upon the public schools, other educational institutions of the State, and the citizens of Pennsylvania, to observe, with appropriate ceremony, the one hundred and fifty-first birthday of Thadeus Stevens on Monday, April 5th, the day following the date of his birth, to commemorate the outsanding achievements of his inspiring life.

Referred to the Committee on Education.

SENATE MESSAGES

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows

In the Senate, April 1, 1943.

Resolved, (if the House of Representatives concur), That Senate Bill No. 36, Printer's No. 84, entitled:

An Act to amend section twenty of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," as amended by providing for the payment of fees to local registrars of vital statistics by the Commonwealth

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, March 29, 1943.

Whereas, The Committees on Aeronautics of the Senate and of the House of Representatives, on the invitation of Colonel Lundberg, the Commanding Officer of the United States Army Air Depot at Middletown, were given the opportunit to see and experience at first hand the up-to-the-minute equipment and facilities of that great air supply station, and to gain valuable information on the problems and methods of aviation; therefore bt it

Resolved, (if the Senate concurs) That the General Assembly hereby express its appreciation of cooperation of the Commanding Officer, the officers and personnel of the Middletown Air Depot with this body in dealing with the problems of a most vital field of legislation; and to thank Colonel Lundberg, Captain Kulze and Lieutenant King for their hospitality in entertaining the committees of the two houses, and their helpfulness in acting as guides and commentators on the tour of inspection; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Colonel Lunberg, Captain Kulze and Lieutenant King.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 138.

An Act to amend sections six hundred four six hundred five and six hundred seven and to further amend section two thousand four hundred seven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further defining the duties of the Department of Internal Affairs

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 135.

An Act to amend section seven hundred sixteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances

SENATE BILL No. 138.

An Act to amend sections six hundred four six hundred five and six hundred seven and to further amend section two thousand four hundred seven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further defining the duties of the Department of Internal Affairs

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. DAVID P. REESE, JR. for himself for one hour this afternoon.

Mr. Royer for Mr. TROUT for today's session.

Mr. Hare for Mr. KENNETH H. WAGNER for today's session because of illness.

Mr. Readinger for Mr. GRANT for today's session.

Mr. ALSPACH for himself for today's session.

Mr. BROWN for himself for today's session.

REPORTS FROM COMMITTEES

Mr. IMBRIE, from the Committee on Labor, reported as committed, House Bill No. 120, entitled:

An Act to amend subsection (c) of section three, and to further amend subsection (e) of section nine of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers; including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by further defining the term "employer"; and extending, under certain circumstances, the time limit within which petitions and charges may be filed.

Mr. ROYER, from the Committee on State Government, reported as committed, House Bill No. 254, entitled:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania, to acquire, by gift, the Harmony Society Graveyard in the Borough of Ambridge, Pennsylvania, providing for the control, management and maintenance thereof; authorizing the Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof.

Mr. ROWLEY, from the Committee on Judiciary General, reported as committed, House Bill No. 641, entitled:

An Act providing for the validation and amendment of defective tax liens heretofore or hereafter entered of record; and repealing inconsistent legislation.

Mr. CALVIN, from the Committee on Judiciary General, reported as committed, House Bill No. 726, entitled:

An Act to amend section twelve of the act approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," making further provisions for the satisfaction of conditional sales contracts filed in the office of the prothonotary.

Mr. READINGER, from the Committee on State Government, reported as committed, House Bill No. 740, entitled:

An Act placing corporations operating cemeteries and burial grounds under the control of the Department of Banking; authorizing said Department to make examinations of the affairs of such corporations at the cost of such corporation and in certain cases, with the approval of the Department of Justice, to take over and operate the same; and imposing certain duties on the court of common pleas.

Mr. PAUL L. WAGNER, from the Committee on Judiciary General, reported as committed, House Bill No. 750, entitled:

An Act to further amend subsection (a) of section twenty-five of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale of purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by providing for the filing of petitions for the enforcement of payment of legacies charged upon real estate by executors, administrators cum testamento annexo and administrators de bonis non cum testmento annexo.

Mr. MOSER, from the Committee on State Government, reported as committed, House Bill No. 830, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey two certain tracts of land in Woodbury Township, Blair County, Pennsylvania.

Mr. JAMES, from the Committee on State Government, reported as committed, House Bill No. 832, entitled:

An Act to amend sections four and seven of, to further amend sections one, six and nine of, and to add sections eleven, twelve and thirteen to the act, approved the twentieth day of May, one thousand nine hundred and thirty-seven (P. L. 728), entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth; providing for and regulating the procedure in prosecuting claims before such board; defining the powers of the board; and fixing the compensation of members and employes thereof; providing that the awards of such board shall be final; providing for the payment of awards; and authorizing an appropriation," by providing for the payment of fees and expenses of the members of said board not properly chargeable as costs of proceedings before it, and further defining the jurisdiction of said board.

Mr. BRETHERICK, from the Committee on State Government, reported as committed, House Bill No. 917, entitled:

An Act to promote interstate cooperation for the use, conservation, protection and equitable diversion of the water resources in the Delaware River Basin between and among the States of Pennsylvania, New York and New Jersey, for the purpose of meeting prospective needs for domestic and municipal water supply; regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards; requiring permits from, and providing for hearings by, the Water and Power Resources Board and for appeals from its decision; vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations, and further defining its powers and duties; requiring notice to the States of New York and New Jersey of all applications for water diversion; providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions.

Mr. BOORSE, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1061, entitled:

An Act providing that the terms of constables hereafter elected in cities of the second, second class A and third classes, boroughs and townships, shall be for six years.

Mr. EWING, from the Committee on Motor Vehicles, reported as amended, House Bill No. 302, entitled:

An Act to further amend section seven hundred seven, subsection (e) of section nine hundred three, and to repeal section seven hundred eight and subsection (f) of section nine hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including, liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon the payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," changing the provisions of said act relating to the weight, length and width of motor buses and motor omnibuses and loads; and changing the registration fees of motor buses, motor omnibuses and other vehicles used for the transportation of passengers.

Mr. WELSH, from the Committee on Municipal Corporations, reported as amended, House Bill No. 368, entitled:

An Act providing that in the postwar period owners of buildings in counties of the second class may improve, enlarge, remodel, repair or replace the same with no increase of assessed valuation for tax purposes for a certain period of time; authorizing, in certain cases the said counties and political subdivisions therein to convey free of cost, land to individuals for building purposes.

Mr. MOSER, from the Committee on Boroughs, reported as amended, House Bill No. 573, entitled:

An Act to further amend the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by adding clause XIX to Section 1006 so as to provide a special fund for construction and reconstruction after the cessation of hostilities in the war in which the United States is now engaged.

Mr. MORAN, from the Committee on Boroughs, reported as amended, House Bill No. 575, entitled:

An Act to further amend the act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs," by adding an additional clause to Section 1202 LIII relating to exemptions from advertising.

Mr. EWING, from the Committee on Cities—Second Class, reported as amended, Senate Bill No. 67, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," establishing the method of appointing, promoting, reducing in rank, suspension, furloughing, discharging, and reinstating members of the police force of counties of the second class; creating and defining the powers and duties of a civil service commission; imposing certain duties and expenses on such counties; and prescribing penalties

Mr. WALLIN, from the Committee on Municipal Corporations reported as committed, House Bill No. 398, entitled:

An Act enabling city, county, poor, institution district, ward, school, borough, and township tax collectors, their executors and administrators, if they are deceased, or either surety or sureties to collect taxes for the payment of which they have become personally liable, without having collected the same, by the expiration of the authority of their respective warrants or by the expiration of their terms of office; extending the time for the collection of the same, and validating collections and proceedings for collections made or commenced without previous authority.

Mr. WALLIN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 399, entitled:

An Act regulating tax collectors' warrants hereafter issued with tax duplicates; authorizing the collecting of taxes for which the tax collectors have become personally liable, after the final settlement of the tax duplicates and after the expiration of their terms of office.

BILLS ON SECOND READING

The SPEAKER. If there is no objection the Chair will take up the second reading calendar. Is there objection? The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 361, entitled:

An Act to amend section six hundred fifteen of the act approved the eighteenth day of May, one thousand nine hundred eleven P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by changing the requirement for approval of emergency reparis of school buildings.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. HELM and HARE offered the following amendments:

Amend sec. 1 (Sec. 615), page 2, line 25, by striking out the light face bracket before the word "the".

Amend sec. 1 (Sec. 615), page 2, line 28, by inserting light face bracket before the word "one".

Amend sec. 1 (Sec. 615), page 2, line 28, by inserting after the figures "($100)]" the following: "five hundred dollars ($500)".

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Messrs. HELM and HARE offered the following amendments:

Amend title, page 1, last 2 lines of title, by striking out the word "emergency".

Amend title, page 1, last line of title, by inserting after the word "buildings" the following: "in districts of the third and fourth class".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 542, entitled:

An Act concerning arrests by peace officers providing for the questioning and detention of suspects searching suspects for weapons the force permissible in making and resisting arrest arrest without a warrant the release and detention of persons arrested and the identification of witnesses prescribing penalties and making uniform the law relating thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 800, entitled:

An Act to amend article twelve of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by conferring certain jurisdiction upon justices of the peace aldermen and magistrates with respect to summary cases involving violations of said act by minors under the age of eighteen years

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 112, entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States; providing for proof of such membership; making false statements in connection therewith prejury; and suspending inconsistent laws during the effective period of the act.

The first section was read.
On the question,
Will the House agree to the section?

BILL POSTPONED

Mr. COHEN. Mr. Speaker, I move that this bill be placed on the postponed calendar.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 590, entitled:

An Act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds, making the provisions of the act retroactive and repealing existing laws.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 112, entitled:

An Act authorizing the Armory Board of the State of Pennsylvania to construct and erect in the County of Dauphin a memorial or monument in memory of the residents of Dauphin County who served in the forces of the United States during World War I and making an appropriation

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 514, entitled:

An Act to amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement systems.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 519, entitled:

An Act to amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" further regulating such retirement systems.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 680, entitled:

An Act to amend section one of the act which became effective on the seventh day of July one thousand eight hundred and seventy-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act" further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 684, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to busines corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing the certain officers of dissolved business corporations to execute and deliver deeds conveyances agreements assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 735, entitled:

An Act to amend sections eleven fifteen and seventeen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" further regulating appeals from assessments and exonerations and refunds of taxes effected thereby validating appeals heretofore taken and imposing additional duties upon the said board

The first section was read.

On the question,

Will the House agree to the section?

Mr. HANNON offered the following amendments:

Amend Sec. 1, page 2, line 1, by striking out the word "fifteen"

Amend Sec. 1, (Sec. 11), page 3, lines 5, 6 and 7, by striking out the following: "in" in line 5, all of line 6, and "the 1942 assessment" in line 7.

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. HANNON offered the following amendment:

Amend title, page 1, line 1 of title, by striking out the word "fifteen"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

Then House proceeded to the second reading and consideration of House Bill No. 742, entitled:

An Act to amend section one of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 346) entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed levied and collected upon the basis of the county assessments imposing duties on county assessing authorities abolishing the department of assessors in cities of the second class and transferring certain property to county taxing authorities" by defining the effect upon appeals of the certification of tax duplicates to cities of the second class and to school district coterminous therewith and providing for exonerations and refunds of taxes assessed against properties affected by such appeals

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 815, entitled:

An Act to amend sections one and two of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" further extending the property and contractual rights of married women

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 886, entitled:

An Act to amend section one thousand one hundred twenty section one thousand one hundred twenty-eight as amended and section one thousand one hundred thirty-nine of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the appointment of substitute and acting county superintendents of schools substitute assistant county superintendents of schools substitute supervisors of special education and substitute and acting district superintendent of schools

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 829, entitled:

An Act creating a commission to study the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient system of public schools prescribing its powers and duties and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for thrd reading.

BILL RECOMMITTED

Mr. WALTER E. ROSE, Mr. Speaker, I move that this bill be recommitted to the Committeee on Appropriations.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 993, entitled:

An Act to amend clause (g) of section two hundred four of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by providing that the exemption from local taxation afforded to certain public property shall not extend to property otherwise taxable which is owned or held by an agency of the Government of the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL NOT ON FILE

The SPEAKER. House Bill No. 488, Printer's No. 284, on page 16 of today's calendar, bill on second reading is not on file and will be passed over.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 92, as follows:

An Act to amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" changing and revising sections of said act relating to obstructing an officer in the execution of process fornication and bastardy lotteries firearms receiving stolen property trespass on posted property cheating by fraudulent pretenses principals in the second degree and accessories aiders and abettors and repealing certain sections relating to larceny and certain existing acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 314 506 602 628 (k) 817 836 881 954 and 1105 of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" are hereby amended to read as follows

Section 314 Obstructing Officer in the Execution of Process Whoever knowingly wilfully and forcibly obstructs resists or opposes any officer or other person duly authorized in serving or attempting to serve or execute any legal process or order or in making a lawful arrest without warrant or assaults or beats any officer or person duly authorized in serving or executing any such legal process or order or for and because of having served or executed the same or in making a lawful arrest without warrant or rescues another in legal custody or whoever being required by any officer neglects or refuses to assist him in the execution of his office in any criminal case or in the preservation of peace or in apprehending and securing any person for a breach of the peace is guilty of a misdemeanor and on conviction shall be sentenced to imprisonment not exceeding one (1) year or to pay a fine not exceeding five hundred dollars ($500) or both

Section 506 Fornication and Bastardy Whoever commits fornication is guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars ($100) for the use of the institution district where the affense was committed

It shall be sufficient to convict an unmarried woman to show that a child was born of her body

Any man charged by an unmarried woman with being the father of her bastard child shall be the reputed father and if she persists in the charge in the time of her extremity of labor or afterwards in open court the same shall be given in evidence in order to convict such person of fornication Such man being thereof convicted shall be sentenced in addition to the fine aforesaid to pay the expenses incurred at the birth of such child and if such child is born dead or shall die during the continuance of the order for the maintenance of said child to also pay the reasonable funeral expenses thereof and to give security by one or more sureties and in such sum as the court may direct to the institution district where such child was born to perform such order for the maintenance of the said child as the court shall direct

If a bastard child is begotten out of the State and born within the State or begotten within one of the counties of this State and born in another in the latter case the prosecution of the reputed father may be in the county where the bastard child was born or begotten and like sentence shall be passed as if the child had been born and begotten in that county and in the former case like sentence shall be passed except the fine for fornication

Section 602 Traffic in Lottery Tickets Whoever sells or exposes for sale or causes to be sold or exposed to sale or barters or exchanges or causes or offers to be bartered or exchanged or advertises or causes to be advertised for sale barter or exchange or has in his possession with intent to sell or barter any lottery or numbers ticket or share or part thereof or any lottery or numbers policy or any writing certificate bill token or other device purporting or intending to entitle or represent as entitling the holder or bearer or any other person to any prize to be drawn in any lottery or any part of such prize or any interest therein or in any newspaper magazine or periodical owned or controlled by him publishes or causes to be published any advertisement of any lottery or numbers ticket share policy writing certificate bill taken or device or of any lottery drawing or lottery scheme or any prospectus scheme or other advertisement of any person conducting managing or controlling any lottery or acting as agent therefor is guilty of a misdemeanor and on conviction shall be sentenced to imprisonment by separate and solitary confinement at labor not exceeding one (1) year or to pay a fine not exceeding five hundred dollars ($500) or both

The purchaser of such ticket policy or device shall not be liable to any prosecution or penalty by virtue of this or any other law of the Commonwealth and shall in all respects be a competent witness to prove the offense

Section 628 Uniform Firearms Act

* * * *

(k) Petition to [Common Pleas] Quarter Sessions for Reversal Any applicant aggrieved by the refusal of his application for a license to carry a firearm or for a dealer's license or any person or retail dealers whose license has been revoked may file within thirty (30) days thereafter in the court of quarter sessions of his county a petition against the official who refused his application as defendant alleging therein in brief detail the refusal complained of and praying for reversal thereof Upon service of a copy of the petition upon the defendant returnable within ten (10) days from its date the defendant shall on or before the return day file an answer in which he may allege by way of defense the reason for his refusal and such other reasons as may in the meantime have been discovered Upon application of either party the cause shall be heard without delay The court may either sustain or reverse the action of the defendant If the defendant's action is reversed he shall forthwith issue the license upon payment of the fee A judgment sustaining a refusal to grant a license shall not bar after one (1) year a new application nor shall a judgment in favor of the petitioner prevent the defendant from thereafter revoking or refusing to renew such license for any proper cause which may thereafter occur The court shall have full power to dispose of all costs

Section 817 Receiving Stolen Property Whoever buys has or receives any goods chattels money or securities or any other matter or thing which shall have been stolen or feloniously taken either in this Commonwealth or in any other state or country knowing or having reasonable cause to know the same to have been stolen or feloniously taken is guilty of a felony and on conviction shall be imprisoned not exceeding five (5) years or fined not exceeding one thousand dollars ($1,000) or both

Section 836 Cheating by Fraudulent Pretenses Whoever by any false pretense obtains the signature of any person to any written instrument or obtains from any other person any chattel money or valuable security with intent to cheat and defraud any person of the same or being an officer manager agent employe of or in any way interested in any person by false pretense knowingly and with intent to defraud procures obtains or aids assists or abets in obtaining from any other person any chattels moneys or valuable securities for such person of which he is an officer manager agent employe or in which he is in any way interested is guilty of a felony and on conviction shall be sentenced to pay a fine not exceeding five thousand dollars ($5,000) or undergo imprisonment not exceeding five (5) years or both

If upon the trial of any person indicted for such a [misdemeanor] felony it shall be proved that he obtained the property in question in such manner as to amount in law to larceny he shall not by reason thereof be entitled to be acquitted of such [misdemeanor] felony No person tried for such [misdemeanor] felony shall be liable to be afterwards prosecuted for larceny upon the same facts

Section 881 Fraudulent Entry of Horses in Races Whoever enters or causes to be entered for competition or competes for any purse prize premium stake or sweepstake offered or given by any agricultural or other society association or person any horse mare or gelding colt or filly under an assumed name or out of its proper class when such [price] prize purse premium stake or sweepstake is to be decided by a contest in running trotting or pacing races is guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment not exceeding six (6) months or to pay a fine not exceeding two hundred dollars (200) or both

Section 954 Trespass upon Posted Land Whoever wilfully enters upon any land which the owner lessee or occupant has caused to be prominently posted with printed notices that the said land is private property and warning all persons from trespassing thereon under the penalties provided in this section shall upon conviction thereof in a summary proceeding be sentenced to a fine not exceeding ten dollars ($10) together with the costs of prosecution and in default of payment of said fine and costs shall be committed to jail for one (1) day for each dollars of fine imposed

Such printed notices must be posted not more than two hundred yards apart and not more than twenty feet from the boundary line of such lands

Section 1105 Principals in the Second Degree and Accessories Aiders and Abettors Every principal in the second degree or accessory before the fact to any felony at the common law or under any act of assembly may be indicted tried convicted and if no punishment is provided may be punished in all respects as if he were the principal felon

Every accessory after the fact to any felony at the common law or under any act of Assembly for whom no punishment is provided shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine not exceeding one thousand dollars ($1,000) or to undergo imprisonment with or without labor not exceeding two (2) years or both

Every person who shall counsel aid or abet the commission of any misdemeanor punishable under any act of Assembly for whom no punishment is provided shall be liable to be proceeded against and punished as the principal offender

Section 2 Section 809 and 810 of said act are hereby repealed

Section 3 The following acts are hereby repealed absolutely

The act approved the ninth day of July one thousand nine hundred one (P. L. 612) entitled "An act making it willful trespass to hunt trap and take game birds or game animals upon cultivated lands and providing for the punishment of such trespass" and

The act approved the thirteenth day of June one thousand nine hundred eleven (P. L. 903) entitled "An act to prevent frauds against carriers of passengers for hire within this Commonwealth and prescribing penalties for the breach of the provisions hereof"

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—5

Brunner, P. A.,
Elliott,
Hamilton,
Readinger,
Swope,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 174, entitled:

An Act to further amend section one thousand one hundred thirty-three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be admininistered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by removing certain limitations of the appointment of district superintendents.

On the question,

Will the House agree to the bill on third reading?

Mr. HAUDENSHIELD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, last 2 lines of title, by striking out the words "by removing certain limitations of the appointment of district superintendents" and inserting in lieu thereof "making further provision for the creation of the office of district superintendent in districts where such office does not exist."

Amend sec. 1 (sec. 1133), page 2, line 27, by striking out the light face bracket before the word "After".

Amend sec. 1 (sec. 1133), page 2, line 28, by striking out the light face bracket after the word "any".

Amend sec. 1 (sec. 1133), page 3, line 1, by striking out the light face bracket before the word "school".

Amend sec. 1 (sec. 1133), page 3, line 4, by striking out the light face bracket after the word "directors".

Amend sec. 1 (sec. 1133), page 3, line 4, by inserting after the word "directors]" the following: "In the event that the county board of school directors shall refuse such approval or shall neglect to act upon the application of the board of school directors for a period of thirty days from the date of the submission of such application to it, the board of school directors may employ one or the other, but not both, of the following remedies:

(1) It may appeal to the Superintendent of Public Instruction, who may sustain or reverse the action of the county board, and in the event of reversal shall grant approval to the creation of the office of district superintendent in such district; or

(2) It may submit the question of the creation of the office of district superintendent in such district to a vote of the qualified electors of the district. If a majority of such electors voting on the question shall favor the creation of such office the same shall thereby be created. The board of school directors shall certify their desire to create said office to the county commissioners, who shall cause the question to be submitted in the manner provided by the election laws of this Commonwealth, at the next general, municipal or primary election occurring more than thirty days after such certification."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection House Bill No. 703, Printer's No. 265, was passed over at the request of Mr. Smith.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 47, as follows:

An Act to amend section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by abolishing the liability of grandchildren and grandparents of indigent persons to care for maintain or financially assist such persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" is hereby amended to read as follows

Section 3 Relatives Liable for the Support of Indigent Persons Procedure to Enforce Support (a) The husband wife child father and mother [grandparent and grandchild] of every indigent person shall if of sufficient financial ability care for and maintain or financially assist such indigent person at such rate as the court of the county where such indigent person resides shall order or direct

(b) The courts shall have power to hear determine and make orders and decrees in such cases upon the petition of such indigent person or of any other person or any public body or public agency having any interest in the care maintenance or assistance of such indigent person

(c) In all cases where an order has been made by the court for the care and maintenance or assistance of a husband wife father mother or child [grandfather grandmother or grandchild] whether or not confined in any public institution and the said order has not been complied with the court or any judge thereof upon affidavit or petition filed setting forth that the person on whom the said order has been made has not complied with the said order shall issue an attachment directed to the sheriff or other proper officer of the county directing and commanding that the person named as having failed to comply with said order be brought before the court at such time as the court may direct If it shall appear to the court after hearing that the person on whom the said order was made has wilfully neglected or refused to comply with said order the court may adjudge said person in contempt of court and in its discretion may commit said person to the county jail for a period not exceeding six months

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,

Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 260, as follows:

An Act fixing the salary of the district attorney in counties of the eighth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The annual salary of the district attorney in counties of the eighth class shall be one thousand dollars ($1,000) to be paid by the county

Section 2 The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 917) entitled "An act regulating the salaries of district attorneys in counties of the seventh and eighth classes" is hereby repealed in so far as it applies to counties of the eighth class

All other acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thrasher,
Thompson,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Harris,
Reagan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 288, as follows:

An Act to amend the act approved the eighth day of May one thousand eight hundred seventy-six (P. L. 136) entitled "A supplement to an act approved the thirteenth day of May Anno Domini one thousand eight hundred and seventy-four fixing the pay of road commissioners road and bridge viewers and reviewers and commissioners to run township lines and to divide boroughs into wards and township lines and surveyors in this commonwealth" by changing the compensation of chain carriers at surveys of road views township divisions and township lines and the method of fixing the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighth day of May one thousand eight hundred seventy-six (P. L. 136) entitled "A supplement to an act approved the thirteenth day of May Anno Domini one thousand eight hundred and seventy-four fixing the pay of road commissioners road and bridge viewers and reviewers and commissioners to run township lines and to divide boroughs into wards and township lines and surveyors in this commonwealth" is hereby amended to read as follows

Section 1 Be it enacted &c That from and after the passage of this act chain carriers employed at the survey of road views and in the division of townships and running township lines shall be entitled to [one dollar and fifty cents ($1.50) per day] not more than one dollar ($1.00) an hour which amount shall be fixed by the county commissioners to be paid in same manner as road viewers and surveyors of same are now paid

Section 2 The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,
Auker,
Baker,
Barrett,
Barton,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,

Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 316, as follows:

An Act to add section six hundred ninety-nine and seven-tenths to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it unlawful to capture take or have in ones possession lobsters under a certain size

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article six of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended by adding at the end thereof a new section to read as follows

Section 699.7 Undersized Lobsters Whoever captures takes or has in his possession any lobster measuring less than three and one-eighth inches (3⅛") from the rear of the eye socket along a line parallel to the center line of the body shell (carapace) to the rear end of the body shell (carapace) shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding fifty dollars ($50) and in default of the payment of such fine and costs shall be sentenced to imprisonment not exceeding thirty (30) days

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack.
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—1

Elliott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 509, as follows:

An Act to amend section three hundred and six of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for fixing the number and compensation of employes of institution districts and conferring powers and imposing duties on county officers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred and six of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" is hereby amended to read as follows

Section 306 Appointment of Employees The Commissioners of each county shall have the power to appoint and remove [and fix the compensation of] all necessary employes of the institution district and to require of any employe security for faithful performance The number of such employes and their compensation shall be fixed by the salary board of the county wherever there is a salary board otherwise by the county commissioners

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 569, as follows:

An Act to amend section eleven of the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 84) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" providing for preference under pre-existing law in favor of war veterans

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the fifth day of June one thousand nine hundred forty-one (P. L. 84) entitld "An act providing for and rgulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" is hereby amended to read as follows

Section 11 General Provisions Relating to Examinations Each commission shall make rules and regulations to be approved as provided in section 6 hereof providing for the examination of applicants for positions in the police force and for promotions therein which rules and regulations shall prescribe the minimum qualifications of all applicants to be examined and the passing grades All examinations for positions or promotions in the police force of any municipality shall be practical in character and shall relate to such matters and include such inquiries as will fairly test the merit and fitness of the persons examined to discharge the duties of the employment sought by them All examinations shall be open to all applicants who have the minimum qualifications required by the rules and regulations Each applicant for examination shall be subject to the regulations adopted by the commission and shall be required to submit to a physical exmination before being admitted to the regular examination held by the commission

Public notice of the time and place of every examination together with the information as to the kind of position or place to be filled shall be given by publication once in a newspaper of general circulation in the municipality or in a newspaper circulating generally in the municipality at least two weeks prior to each examination and a copy of the notice shall be prominently posted in the office of the commission or other public place

The commission shall post in its office the eligible list containing the names and grades of those who have passed the examination for position under this act [Soldiers as defined by the act of the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1108) who have successfully passed the examination shall be given the additional credits provided for by said act] Persons male or female who served in the military or naval service of the United States during any war in which the United States has been is now or shall hereafter be engaged and who have honorable discharges from such service who have successfully passed the examination shall be given the additional credits and preference in appointment and promotion provided for by any law of this Commonwealth

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack.
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane.
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien.
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affimative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 571, as follows:

An Act empowering cities of the third class boroughs incorporated towns and townships to co-operate with each other through joint agreements in the exercise of their governmental powers duties and functions relating to the public health recreation zoning and municipal planning

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The word "municipality" as used in this act shall include cities of the third class boroughs incorporated towns and townships

Section 2 Two or more municipalities may jointly cooperate in the exercise and in the performance of their respective governmental powers duties and functions relating to the public health recreation zoning and municipal planning and in carrying into effect provisions of law relating to said subjects which are common to all of such joining municipalities and which each may under existing law separately exercise and perform For the purpose of carrying the provisions of this act into effect the municipalities joining shall enter into such joint agreements as may be deemed appropriate for such purposes

Section 3 Any joint agreement shall be deemed in force as to any particular municipality when the same has been adopted by ordinance or in the case of townships of the second class by resolution After adoption any such agreement shall become binding upon the municipality and the covenants thereof may be enforced by appropriate remedy by any one or more municipalities against any other municipality party thereto

Section 4 Every such agreement shall set forth inter alia the particulars relating to the manner of co-operation the means by and through which such co-operation shall be effectuated including if any the employment of joint personnel and the purchase of personal property and materials for the joint use of the municipalities the allocation of the costs and expenses connected with the admnistration of the joint agreement upon an equitable basis the term for which the agreement shall be in force and the manner in which the same may be renewed for another term and the manner in which joint property shall be disposed of or shared upon the termination of the agreement Amendments to any agreement shall be adopted in the same manner as the original agreement

Sction 5 All joint purchases involving an expenditure of more than five hundred dollars ($500) shall be made by contract in writing only after notice for bids once a week for two weeks in at least one and not more than two newspapers of general circulation generally in the joining municipality All contracts shall be let to the lowest responsible bidder

Section 6 This act shall not be construed to authorize one municipality to delegate any of its powers duties and functions to another municipality nor to authorize one municipality to exercise such powers duties or functions on behalf of another municipality

Section 7 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 8 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 593, as follows:

An Act to further amend sections one two and three of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" by defining the word "purchaser" making the transportation of solid fuel unlawful in certain cases and further regulating the forms used by weighmasters and the disposition thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two and three of the act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointments of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties" as amended by the act approved the twenty-fourth day of June one thousand nine hundred forty-one (P. L. 152) are hereby further amended to read as follows

Section 1 Be it enacted &c That the term "solid fuel" when used in this act shall mean anthracite semi-anthracite bituminous semi-bituminous or lignite coal briquettes boulets coke gas-house coke petroleum coke carbon charcoal or any other natural manufactured or patented fuel not sold by liquid or metered measure

The term "person" when used in this act shall be construed to include any individual partnership unincorporated association [or] corporation association agent firm representative or employe thereof

The term "licensed weighmaster'" when used in this act shall include a person licensed to weigh solid fuel by this Commonwealth or by a bordering state issuing such licenses and recognizing licenses and weigh certificates issued by such licensees in this Commonwealth

The word "department" when used in this act shall mean the Department of Internal Affairs of the Commonwealth

The word "weighmaster" when used in this act shall mean a weighmaster licensed under this act by the Department of Internal Affairs

The word "purchaser" when used in this act shall mean (a) the ultimate consumer to whom the solid fuel is delivered for the purpose of consumption (b) coal yard or dealer to whom solid fuel is delivered for the purpose of unloading for storage or resale where coal must be weighed before resale

Section 2 It shall be unlawful to sell solid fuels excepting by avoirdupois weight No person shall sell transport or deliver or start out for delivery less than two thousand (2000) pounds avoirdupois of weight to the ton of any solid fuel or a proper proportion thereof in quantities less than a ton and such solid fuel shall be duly weighed by a licensed weightmaster of the Commonwealth of Pennsylvania on accurate scales suitable for weighing a tare and the gross weight of the vehicle or vehicle and trailer transporting solid fuel located in this state and which has been tested and approved by an official empowered by law to test such scales A tolerance at the rate of thirty (30) pounds to two thousand pounds shall be allowed for wastage and variation in scales

Section 3 (1) No person upon the sale or purchase of solid fuel shall transport deliver of cause to be delivered or to be started out for delivery any solid fuel in a lot or lots in amounts of exceeding one hundred (100) pounds without each lot in each separate compartment of any vehicle or vehicle and trailer being accompanied by a weighmaster's certificate for each lot issued by a licensed weighmaster of the Commonwealth of Pennsylvania

(2) Weighmaster's certificates shall be issued only on forms prescribed and furnished by the department or on forms approved by the department and procured by weigh-

masters or their employers under the supervision and control of the department and shall be in triplicate All weighmaster's certificates shall be serially numbered and the copies thereof shall bear the same serial number as the original [Forms of official weighmaster certificates furnished by the department shall be issued to weighmasters or their employers except that in cities of the first class such forms shall be issued to the bureau of weights and measures which shall in turn furnish such forms to weighmasters Such forms shall be furnished by the department at approximately cost and cities of the first class shall furnish such forms to weighmasters at the price paid to the department In case forms are] Forms procured by weighmasters or their employers with the approval and under the supervision and control of the department [such forms] shall bear the serial number assigned by the department The department shall keep a record of the serial numbers of all certificates issued to weighmasters and their employers [and to cities of the first class and the bureau of weights and measures of said cities shall keep a record of the serial numbers of all certificates issued to weighmasters located within the city]

(3) The original weighmaster's certificate shall be typewritten or made out in ink or indelible pencil and the original and each copy thereof shall show

(a) The kind and size of the solid fuel

(b) The name and address of the seller of the solid fuel

(c) The name and address of the purchaser

(d) The license number of the vehicle

(e) The signature and license number of the licensed weighmaster by whom weighed and who issued the weighmaster's certificate

(f) The date and hour when weighed

(g) The gross weight in avoirdupois pounds of vehicle and load the tare weight and the net weight of the solid fuel and where the load is divided into lots the net weight of each such lot all of which must be determined by the same weighmaster in accordance with the rules and regulations of the department except where reweighing is required by ordinance within the limits of a city borough town or township of the first class in which delivery is made in which case the gross weight of the vehicle and load shall first be determined without dumping and after the delivery of the entire load of solid fuel the vehicle shall immediately return to the same scale for the determination of the tare weight

(4) The original copy of a weighmaster's certificate shall be delivered to the purchaser of the solid fuel specified in the certificate [one] at the time of delivery One copy thereof shall be retained at the place of weighing and one copy shall be retained by the person delivering the solid fuel Copies of weighmaster's certificates in possession of licensed weighmasters and persons delivering solid fuel shall be retained for a period of two years and shall be subject to inspection by any state county or city inspector of weights and measures during business hours

(5) When solid fuel is sold in lots not exceeding one hundred (100) pounds the provisions of this section shall not apply if the solid fuel is delivered in closed containers or closed bags and the net contents of such bag or container expressed in avoirdupois pounds is plainly stamped or printed thereon or upon a tag securely attached thereto

(6) This section shall not apply to the sale of a boatload or railroad carload of solid fuel delivered direct from the boat or car to one purchaser and accepted as to weight by the purchaser on the bill of lading or other voucher issued by the carrier

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—1

Bower,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER ON THIRD READING AND FINAL PASSAGE

The SPEAKER. The Chair lays before the House the special order on third reading and final passage fixed for this time, House Bill No. 816, Printer's No. 296.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 816, as follows:

An Act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts authorizing additional appropriations and temporary loans therefor requiring the Commonwealth to reimburse school districts for the full amount of such increases authorizing the Superintendent of Public Instruction to withhold payments due from the Commonwealth in certain cases authorizing additional temporary increases and validating such increases heretofore made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order to meet the increased cost of living during the present emergency and to enable the teachers of this Commonwealth who are paid in the lower salary brackets to maintain for themselves and their families a decent standard of living the salaries of the following members of the teaching and supervisory staffs of each school district are hereby increased by the following amounts during the period commencing on the effective date of this act and ending on the first day of July one thousand nine hundred forty-four To members of the teaching and supervisory staffs who at the end of the school year one thousand nine hundred forty-one one thousand nine hundred forty-two (1941-1942) received salaries at the rate of one thousand dollars ($1,000) and more but not in excess of one thousand ninety-nine dollars ($1,099) the amount of the increase for said period shall be six hundred dollars ($600) to those who for said school year received salaries at the rate of one thousand one hundred dollars ($1,100) and more but not in excess of one thousand four hundred ninety-nine dollars ($1,499) the amount of the increase for said period shall be five hundred dollars ($500) to those who for said school year received salaries at the rate of one thousand five hundred dollars ($1,500) and more but not in excess of one thousand nine hundred ninety-nine dollars ($1,999) the amount of the increase for said period shall be four hundred dollars ($400) to those who for said school year received salaries at the rate of two thousand dollars ($2,000) and more but not in excess of two thousand nine hundred ninety-nine dollars ($2,999) the amount of the increase for said period shall be three hundred dollars ($300) to those who during said school year received salaries at the rate of three thousand dollars ($3,000) and more but not in excess of three thousand four hundred ninety-nine dollars ($3,499) the amount of the increase for said period shall be two hundred dollars ($200) Provided That no person shall by reason of any such temporary increase receive a total salary at a rate higher than the total salary received during said period by any person in a higher salary bracket as set up hereby where the temporary increase provided for hereby is a lesser amount Any part of any emergency or temporary increase in salary granted to any member of the teaching or supervisory staffs by any school district since the end of the school year one thousand nine hundred forty-one one thousand nine hundred forty-two (1941-1942) may at the discretion of the board of school directors (or board of public education) be deducted from the amount of the increase provided for hereby for such member of the teaching or supervisory staff All deductions so made shall apply uniformly to all members of the teaching and supervisory staffs in the district

In the case of members of the teaching or supervisory staffs who were not employed by a school district until after the end of the school year one thousand nine hundred forty-one one thousand nine hundred forty-two (1941-1942) the additional amounts hereinbefore provided for shall be paid on the basis of the minimum salary prescribed by section one thousand two hundred ten of the Public School Code of May eighteenth one thousand nine hundred eleven (P. L. 309) and its amendments for the position held in the district and any part of any amount of permanent salary above the amount of such minimum salaries that is paid by any school district may at the discretion of the board of school directors (or board of public education) be deducted from the amount of the increase provided for hereby All deductions so made shall apply uniformly to all members of the teaching and supervisory staffs in the district Members of the teaching or supervisory staff of a school district who are employed by the district for a part less than the whole of the period from the effective date of this act until the first day of July one thousand nine hundred forty-four shall receive only the proportionate part of the additional salary provided for hereby equal to the number of payroll periods during which he or she is employed by the district as compared with the total number of payroll periods in the district during the period when the increase provided for hereby shall be effective The additional amounts of salary provided for hereby shall not include any increments any such member of the teaching or supervisory staffs may become entitled to under existing law during the period covered by the provisions of this act but they shall also be entitled to the full amount of such increments

The amount of increase in salaries provided for by this act for each member of the teaching and supervisory staffs of each school district shall be divided by the number of payroll periods in the school district between the effective date of this act and the first day of July one thousand nine hundred forty-four and such proportionate amount shall be added to the regular salary and paid at each payroll period

Section 2 In order to pay the additional amount of salary hereby provided for the board of school directors (or board of public education) of any school district may revise its budget by increasing its appropriation or appropriations for salares of members of the teaching and supervisory staffs of the school district for any year the funds therefore to be provided from unexpended balances in existing appropriation from unappropriated revenue if any or from temporary loans

Section 3 The full amount of all additional amounts of salary provided for by this act shall be paid by the Commonwealth to the school districts in the manner that other payments on account of salaries of members of the teaching and supervisory staffs are paid Such payments shall include reimbursement for any temporary or emergency increase in salary not in excess of the amount of increase required to be paid by this act granted to any member of the teaching or supervisory staff by any school district since the end of the school year one thousand nine hundred forty-one one thousand nine hundred forty-two (1941-1942) and any amount above minimum salaries provided by section one thousand two hundred ten of the Public School Code of May eighteenth one thousand nine hundred eleven (P. L. 309) and its amendments not in excess of the amount of increase required to be paid by this act paid to any member of the teaching or supervisory staffs who was not employed by a school district until after the end of the school year one thousand nine hundred forty-one one thousand nine hundred forty-two (1941-1942) which may have been deducted from the amount of the increase provided for hereby Such payments may be made on the basis of certificates filed with the Superintendent of Public Instruction on or before the first day of November in the years one thousand nine hundred forty-one one thousand nine hundred forty-two and one thousand nine hundred forty-three or on the basis of such other certificates as the Superintendent of Public Instruction may require All payments to school districts hereunder shall be made before the first day of June one thousand nine hundred forty-five and may be made at such times and in such amounts as the Superintendent of Public Instruction shall determine

The Superintendent of Public Instruction may refuse to authorize the payment of any moneys payable to any school district by the Commonwealth for any purpose during the effective period of this act or any school year thereafter if such school district shall at any time hereafter fail or refuse to pay to the members of its teaching and supervisory staffs the temporary increases in salaries required by this act He may continue to hold such requisitions until provision has been made by the school district for the payment of such temporary increases in salaries

Section 4 In addition to the increases required by this act the board of directors (or board of public education) of each school district is hereby authorized to grant temporary or emergency increases in salaries to members of its teaching or supervisory staff for any period up to and including the thirtieth day of June one thousand nine hundred forty-five and to discontinue such increases at the end of the period for which the same were granted any law to the contrary notwithstanding and any temporary or emergency increases heretofore granted by any school district and the discontinuance thereof at the end of the period for which granted are hereby ratified confirmed and made valid notwithstanding the fact that the same may have been done without previous authority of law

Section 5 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, I hesitate somewhat to rise today but I feel that it is my duty as a Member of the Legislature in the interest of a democracy. I can go over the Legislative Journal of this House and find men's names recorded on votes in this House who have not been here possibly since the first session of the Legislature. Now, gentlemen, we hear a lot of talk about absenteeism among the laboring class of people in this country. I say it is unfair and unjust to accuse these people of absenteeism. Some of those men are working in trades and in industries where the work is hard and strenuous, and I say it is ill founded when we raise the question of absenteeism, when we as Members of the Legislature, men who are supposed to fight for the interest of our democracy, cannot find time to be in session in Harrisburg to represent the people we are supposed to represent on some very important legislation in the interest of our democracy.

You gentlemen know that time and time again I got up here in behalf of men in the working class who have been accused of being Communists and everything in this House of Representatives, down in the lower ranks of labor, and I have said to you men that that is not where we are going to lose our democracy. If we lose our democracy we are going to lose it by the intelligentsia and the men who cannot find time to stay in Harrisburg and vote on legislation. Today I am going to ask on this particular piece of legislation that no man's name be recorded on this bill who is not in the hall of the House when the roll is called.

Mr. Speaker, I do not intend to waste my time here today figuring out the men who are here and the men who are not here. I say it is the duty of the Clerks who record the voting in this House to record only the men who are here and who vote. I am not going to waste my time trying to keep track of the roll call. I say that the roll should be called slowly, the House should be in order and only the men who are in their seats and answer to their names should be recorded on this vote, and I insist that that be done.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I have just listened to remarks of the gentleman from Westmoreland, Mr. Lovett, and I think they are both timely and proper. I join with him in his plea to the Clerks of this House and to the Members not only to do it on this bill, but let us when we come back to Harrisburg to resume our tasks next week in an endeavor to put across this war program of our Governor and of the people of this state, realize that we were elected to do this job. Those of us who have been delinquent in the past should bend every effort to have a speedy adjournment in the near future.

Mr. WRIGHT. Mr. Speaker, surely I do not have to present any formal arguments or reasons for asking your favorable vote on House Bill No. 816. You have been educated in the public schools and know the spirit of service to which the teachers of the State dedicate themselves.

During your years in the public schools you have been influenced by the interest your teachers have had in you and they have pointed out the right way for you to take in shaping your own destiny.

This bill will help to solve a very serious crisis facing our educational system. Pennsylvania's teachers, many thousands of whom are shamefully underpaid, desire an increase in salary.

They should be granted that increase by this Legislative body now in session. As to the desirability by granting the teachers more money, there should be no disagreement.

The existing teachers salary level is unjust and unworthy of the Great Commonwealth of Pennsylvania and of this great Nation.

There are nearly 13,000 teachers in the State whose annual compensation for their services—indispensable services—is only $1,000 to $1,100 per year. Other thousands receive only slightly higher salaries.

In face of wartime rises in living costs, it will be impossible to justify the denying of these men and women the additional raise proposed—$300 a year for the lowest paid and $100 for the highest.

You cannot fail to be sensitive to the problems of retaining an effective teaching force in the Pennsylvania schools under the existing salary levels.

Almost any sort of unskilled labor and untrained personnel under the present wage scales receive much higher pay than the school teacher who must spend several years and considerable money in preparation for his vocation.

The schools are suffering and a complete breakdown is threatened unless something is done at this time.

At a time when there is so much talk about maintaining morals, on the home front, we are permitting one of our most cherished and highly organized institutions to be seriously jeouardized by failure to provide a living wage to the personnel.

High educational standards are necessary, if we are to properly train our boys and girls for the great military, economic, social and political problems of the great tomorrow.

Good schools are vitally important in the great struggle to win the war and the peace which is to follow—

Mr. HEWITT. Mr. Speaker,—

The SPEAKER. Will the gentleman from Greene yield to the gentleman from Indiana?

Mr. WRIGHT. Certainly, Mr. Speaker.

Mr. HEWITT. Mr. Speaker, the gentleman from Greene, Mr. Wright, is the oldest man in this House so far as years count, and I am really highly insulted at the attention he has received from the Members of this House. I think he is entitled to courteous treatment all over the House. Nobody means to be discourteous, however, they are being so unintentionally.

The SPEAKER. The Chair has endeavored to maintain order. I hope the Members of the House will give that courtesy to the gentleman from Greene.

Mr. WRIGHT. Mr. Speaker, since proper school standards depend upon the properly qualified teachers, why not keep the better type of teachers in the classroom by giving them a living wage.

Mr. Speaker, and Members of the House—In this great Commonwealth of Pennsylvania, the Public Schools belong to you. You own the grounds. You erect and equip the buildings. You feed, clothe and care for the children. You hire and pay the teachers, and why not grant them this much deserved raise and retain the most efficient.

Naturally the $10,000,000 or $12,000,000 that would be required for a decent pay raise, can't be provided out of thin air.

There are various possible methods of raising the necessary funds. An obvious one is the allocation of teachers pay available at the end of the fiscal year, May 31, especially from state liquor receipts.

An additional large amount might be found by reexamination of revenue estimates for the coming biennium.

It is well known that the estimates furnished the Legislature are conservative, and that actual receipts may run far ahead of them.

Nobody wants a budget based on inflated estimates, but it may be found possible, after a careful reappraisal, to grant an extra appropriation for teachers pay without running any risks of over estimates.

State finances are in better condition now than in many years. The teachers should be able to obtain their pay raise without resort to additional taxes. It is up to the Legislature to make sure they do.

You can help maintain the high standards of our educational system by voting yes for House Bill No. 816.

Mr. DIX. Mr. Speaker, it might be interesting to review the demand for teacher's salary legislation inasmuch as much was said yesterday by the minority, that the teachers have never received adequate compensation. As I recall the talk yesterday the gentleman from Philadelphia, Mr. Levy, was very vehement in advocating an increase in salary so that the teachers would be adequately paid. So, Mr. Speaker, I think it would not be out of place here perhaps for me to make some personal remarks.

I recall, Mr. Speaker, that back in 1939 I stood alone in this House in advocating an increase for teachers' salaries. Did I get any response from the Democrats or Republicans? I did not. Instead of that they had their minds bent on the notoriuos anti-home rule policemen's salary raiser. Everybody was thinking of policemen at that time. They wanted to pay the policemen anywhere from $1500 to $2000 a year. Thank God, we haven't heard anything about the policemen's salary raise since that time. Thank God, it is coming to the time when we are about to recognize that the teaching profession in Pennsylvania has been inadequately paid.

Mr. Speaker, it seems to me that some of my colleagues do not want me to speak on the teachers' salary bill. At the same time I believe I had an idea four years ago and I believe that two years ago I was among the very few who had anything to say in regard to an increase in teachers' salaries. I also introduced a bill at that time and I believe I am entitled to be heard at this time without any interference by any of my colleagues.

Two years ago I waited for several weeks for either the Democrats or Republicans to introduce a bill in behalf of the teachers of Pennsylvania. Finally I became tired of waiting and I introduced a bill myself which I am glad to say was carried out almost identically with the bill that I introduced. At that time we did not hear very much in regard to the teachers' inadequate salaries and we only gave them a very insignificant sum of a $50 increment. But, Mr. Speaker, I kept the idea alive and today I am very glad and I hope and believe that every Member of this House will vote for the Cordier-Hare bill. The idea which was planted four years ago during my first term has borne fruit, and I assure you that it pleases me as much, if not more, than any man of this House that we are about to give the teachers of Pennsylvania an adjustment of salary so that they will be able to keep up the proper standard of living.

Mr. Speaker, in closing, I wish to say that I certainly am very appreciative of the time that has been given to me, and I do not think that this is going to deter or detract in any way from the vote which will take place in a few minutes. I thank you.

Mr. CORDIER. Mr. Speaker, the measure before the House at the present moment is the product of a sincere effort and hard work on the part of many Members of this House representing both sides and both branches of the House, to bring about these badly needed increases to the schools teachers of this Commonwealth and to do it justly and do it honestly, keeping in mind the needs of the teachers and the ability of the Commonwealth to meet these needs without new taxation. I believe this is being accomplished in House Bill 816. I do not expect that any party will gain any political capital from the passage of this legislation. I do not believe that any Member of this General Assembly shall expect to gain any personal political capital out of the passage of this act. It is the product of a sincere effort of many Members of this House who are interested in this question to bring about these increases. The bill has been well aired; we all understand its import, and I think we are doing a good job when we pass this bill. Certainly we are raising the standards of education and we are maintaining on the job many, many good teachers to carry on the education of our youth.

It is not my intention to speak at length on this bill. I am quite certain that the vast majority of the teachers of this Commonwelath are satisfied with the bill as it is before us. At this time I merely want to rise to thank the gentleman from Somerset, Mr. Hare, my co-sponsor, who gave an excellent presentation of the bill when it was on second reading yesterday; I desire to thank the Chairman of the Educational Committee, the gentleman from Blair, Mr. Sollenberger, and all the members of that committee on both sides of the House. I think we are doing an excellent job on this bill.

Mr. HOFFMAN. Mr. Speaker, this is April 1; it is not a fool's day. In my legislative career it is a day in which I feel a great pride because it gives me an opportunity to see democracy really at work. What I mean by that. House Bill 816 which provides increases for the school teachers of Pennsylvania is a manifestation not only of the fine spirit but it is an evidence of a well grounded principle. I feel that I would be amiss in my appreciation of the splendid work that was done by the Committee on Education and especially by the sub-ccommittee on Education, if I did not mention it here today. I do not mean to say that House Bill 816 is the final word of the Legislature in their expression of interest and sympathy for the school teachers of Pennsylvania, but I am confirmed that it is a long step in the right direction, and I think that this Legislature is to be commended for having brought to pass this piece of legislation that recognizes a class of people who by their diligence and their fine spirit of democracy and the evidence of their willingness to take the youth of our country and train them in the ways that they should go, so that after a while they will become the men and women, the future citizens of our Commonwealth, of our state and of our natoin, well grounded in those virtues of learning and knowledge that will make them fit citizens to intelligently represent the great estate that has been committed to their hands.

Mr. Speaker, I am glad in a small way to offer my contribution in support of House Bill 816, and I would like to appeal to the gentlemen of the House to set aside any political feeling that may enter into this contest and let us by common consent agree that the virtue of this bill and the spirit of this bill is so bright and so humane that we can forget our partisanship, and as citizens of the Commonwealth of Pennsylvania do something by unanimous vote that will prove that we recognize and appreciate the great value of the teaching profession of Pennsylvania and the teachers who are so sacrificial in their work, and place them upon a plane that will better their standard of living, increase their morale and widen their vision for the greater possibilities in the educational field in Pennsylvania.

Mr. Speaker, I appeal to my colleagues and to the gentlemen of this House on both side to show that we are one in spirit and common in our understanding of what really is American democracy. I thank you.

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Lackawanna, Mr. Cordier.

The SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. CORDIER. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I was happy to hear the gentleman say that the passing of this bill should be accomplished without any new taxation. Will the gentleman state whether or not this bill carries with it a specific appropriation or whether the moneys will be paid out of the general fund of the Commonwealth?

Mr. CORDIER. Mr. Speaker, it is my understanding that they will all be paid out of the general fund of the Commonwealth.

Mr. COHEN. Mr. Speaker, will the gentleman tell us whether or not the requests for appropriation by the Department of Public Instruction have already been increased or will be increased to cover this additional cost?

Mr. CORDIER. Mr. Speaker, I am unable to answer that because I am not a member of the Ways and Means Committee which considered this legislation.

Mr. COHEN. Mr. Speaker, in other words I understand the Ways and Means Committee have the real problem of finding the money to do what we want them to do.

Mr. CORDIER. Mr. Speaker, if the gentleman cares to assume that he may.

Mr. COHEN. Mr. Speaker, I feel that all the talk that could have been made on this bill has already gone on the record, and I believe that all the bitterness of debate prior to today was a real effort on the part of the men of both sides of the House to emphasize their position with reference to this legislation. I whole heartedly agree with the other speakers today that this is totally a non-partisan issue, or let us say, it is a bi-partisan issue, to take affirmative action for the school teachers. I do not think that we have to be admonished to forget partisanship in a matter that never bespoke or begged for partisanship in order to put it across. I must blushingly admit possibly that the great cry and the great need for this legislation made itself really felt in Harrisburg after a statement I made several weeks ago, but I can assure the Members of the House that my statement at that time was not necessarily a partisan statement but it was a statement for a group of people who have always been deserving of our sympathy and our help and who I feel are entitled to special consideration at this time.

Mr. Speaker, the Members on this side of the House never doubted for one moment that when a program finally was enacted, while they might not agree with every part of it, they would vote for an increase for the teachers from the beginning down to the very end. It is my sincere hope that the gentlemen on the other side of this building in the Senate will approach this problem in the same manner in which we have approached it and take it apart if they care to, and if they find any inequities or any qualities that they in their great wisdom correct them.

Mr. BRETHERICK. Mr. Speaker, I do not care to inject any politics in this controversy, but the gentleman from Philadelphia has indicated that sentiment was crystalized in favor of this bill after remarks were made by him, I think on March 11th. If you will look at the record you will find that on February 23rd I addressed this House on the subject of increased compensation for teachers and I appealed to the Members on both sides of the House to make a concerted effort so that the teachers might be given increased compensation. Personally I have been told that those remarks crystalized sentiment in favor of increased compensation for teachers. Personally I want no credit for it because I am happy that this bill is going to pass today however I think the record ought to be put in proper form.

Mr. McMILLEN. Mr. Speaker, of course this is the thing that I am professionally interested in, I might say selfishly, others might say something else. I have preferred to do my part in this program, not on the floor of the House vocally but back where some work had to be done, back where there was no fanfare, where we could all work together to bring about something useful and worthwhile.

I have only one sentence that I want to leave on the record and that is this: let the record speak for itself, and let these vacant seats be mute testimony to the great interest and sacrifice of those who bled so profusely, especially through their vocal system, for the school teachers of Pennsylvania.

Mr. LOVETT. Mr. Speaker, when I spoke just a few minutes ago not particularly on the bill, but on the vote that was to be taken on the bill, I stated that I would leave it to the Clerks to record the men who are in their seats in this House. We realize that the Clerks have a hard time to record the votes in this House unless we get attention in the House of Representatives. I hope, Mr. Speaker, in all seriousness that no man who is not here will be recorded on this vote. I am not going to keep tally and I don't think anybody else should have to. I think we as men should be fair to one another and see that a man's name is not recorded if he is not here and that these men who are here are recorded.

On the question recurring,

Shall the bill pass finally?

QUESTION OF PERSONAL PRIVILEGE

Mr. VERONA. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. There is nothing before the House except the calling of the roll.

Mr. VERONA. Yes, there is, Mr. Speaker, right here. Is it not true, Mr. Speaker, that Mr. Lovett is putting a few men on the spot by asking whether they vote or not? There are other fellows who have a little—

The SPEAKER. Will the gentleman yield?

Mr. VERONA. I will, Mr. Speaker.

The SPEAKER. The Chair desires to inform the gentleman from Allegheny that the gentleman from Westmoreland, Mr. Lovett, has made a request which is a rule of this House that only those present in the Hall of the House be recorded as voting.

Mr. VERONA. Mr. Speaker, after the vote is taken I would like to know how the gentleman from Westmoreland voted.

The SPEAKER. The gentleman has that privilege.

Mr. VERONA. Thank you.

The SPEAKER. The clerk will call the roll and only those answering to their names will be recorded by the Clerk. The Clerk will proceed.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Cordier, Charles H. Brunner, Jr., and Freed asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—165

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. SOLLENBERGER. Mr. Speaker, since I have a personal interest in this bill I desire to be recorded as not voting.

The SPEAKER. The gentleman states that he has a personal interest and will not be recorded as voting under the provisions of the Constitution.

Mr. HEWITT. Mr. Speaker, a few moments ago I made a few remarks in behalf of Mr. Wright who was making some remarks on House Bill 816. After I left the microphone the Speaker made the remark that he was going to keep order. I realize and every member of the House realizes that the Speaker was going to keep order and it was meant to be no reflection on the Chair. I thought some Member on the floor might be of assistance by saying a word in Mr. Wright's behalf.

The SPEAKER. The Chair thanks the gentleman from Indiana, Mr. Hewitt.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 595, as follows:

An Act to amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing becoming a nonresident of the State as a cause for forfeiture of rights under the police pension fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 4304 Causes for Forfeiture of Rights in Fund Whenever any person shall become entitled to receive an allowance from the police pension fund and shall have been admitted to participate therein he shall not be deprived of his right to an equal and proportionate participation therein upon the basis upon which he first became entitled thereto save from one or more of the following causes that is to say Conviction of a crime or misdemeanor becoming an habitual drunkard [becoming a nonresident of the State] or failing to comply with some general regulation relating to the management of said fund which may be made by ordinance and which may provide that a failure to comply therewith shall terminate the right to participate in the pension fund after such due notice and hearing as shall be prescribed by ordinance

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 610, Printer's No. 215, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 635, as follows:

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a reirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalites" extending the retirement provisions relating to former teachers to additional cases who separated from school service prior to the first day of July one thousand nine hundred and nineteen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a tirement board for the administration thereon establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 799) is hereby further amended to read as follows

Superannuation Retirement

Section 14 Retirement for superannuation shall be as follows

1 Any contributor who is an employe sixty-two years of age or older may retire for superannuation by filing with the retirement board a written statement duly attested setting forth at what time subsequent to the execution of said application he or she desires to be retired Said application shall retire said contributor at the time so specified or in the discretion of the retirement board at the end of the school term in which the time so specified occurs

2 Each and every contributor who has attained or shall attain the age of seventy years shall be retired by the retirement board for superannuation forthwith or at the end of the school term in which said age of seventy years is attained

Allowance on Superannuation Retirement

3 On retirement for superannuation a contributor who is an employe shall receive a retirement allowance which shall consist of

(a) An employe's annuity which shall be the actuarial equivalent of his or her accumulated deductions and

(b) A State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of service and

(c) In addition thereto if a present employe a further State annuity of one one-hundred-sixtieth (1/160) of his or her final salary for each year of prior service as certified to said present employe in the certificate issued to him or her by the retirement board under the provisions of section ten of this act

4 Any person sixty-two years of age or older who was a class-room teacher principal supervising principal or superintendent in the public schools of Pennsylvania for at least twenty years and who separated from school service for any reason prior to the first day of July one thousand nine hundred and nineteen and who was not thereafter engaged in school service except temporarily for not more than [one whole school year] two whole school years or any person who was a class-room teacher principal supervising principal or superintendent in the public schools of Pennsylvania for at least fourteen years and who separated from school service because of physical or mental disability prior to the first day of July one thousand nine hundred and nineteen and who still is unable to teach because of such disability shall receive a State compensation equal to one-eightieth of his or her final salary for each year of school service but not less than twenty dollars ($20.00) per month if such former teacher shall agree in writing and hold himself or herself ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teacher when able to examine and report on public school work to visit pupils' homes in the interests of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interests The General Assembly shall from time to time appropriate moneys sufficient to make payments

under this subsection Provided That any teacher who is entitled to receive State compensation hereunder and who is receiving a retirement allowance under the provisions of a local teachers' retirement system shall receive from the Commonwealth only the difference between the compensation to which such teacher would otherwise be entitled under the provisions of this subsection and the annual amount received by such teacher from such local teachers' retirement system

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix.
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 655, as follows:

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers department and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by changing the procedure relating to the registration of State and Federal employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" is hereby amended to read as follows

Section 19 Manner of Registration

* * * *

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any city of the third class wherein he resided when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the [Auditor General] head of the proper department board or commission under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the [Auditor General of this Commonwealth] proper department board or commission of this

Commonwealth or at the office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street and number of his residence in the city

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott.
Ely,
Erb,
Ewing,
Figlock,
Flack.
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane.
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 659, as follows:

An Act to amend clause (g) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of the electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registraion commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registraion commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utiliy corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 18 Manner of Registration

* * * *

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any borough town or township wherein he resided when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the [Audior General] head of the department board or commission under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the [Auditor General of this Commonwealth] proper department board or commission or at the office of the department division or bureau of the

Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street or road and number if any of his residence in the borough town or township

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson.
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the thrid reading and consideration of House Bill No. 660, as follows:

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commisisons county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commossioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school direcotrs and imposing penalties" is hereby amended to read as follows

Section 19 Manner of Registration

* * * *

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any city of the second class wherein he resided when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political part he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the [Auditor General] head of the proper department board or commission under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an empolye of this Commonweath or of the Federal Government as the case may be

At least once every two years the commisison shall verify the employment of all persons thus registered at either the office of the [Auditor General of this Commonwealth] department board or commission in whose employ such person is alleged to be or at the office of the department division or bureau of the Gederal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street and number of his residence in the city

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 661, as follows:

An Act to amend clause (g) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureau police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" is hereby amended to read as follows

Section 19 Manner of Registration

* * * *

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any city of the second class A wherein he resided when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the [Auditor General] head of the proper department board or commission under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actualy employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the [Auditor General of this Commonwealth] department board or commission in whose employ such person is alleged to be or at the office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street and number of his residence in the city

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 662, as follows:

An Act to amend clause (k) of section three hundred two and sections nine hundred fourteen and nine hundred seventy-seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the time for the certification of returns to the Secretary of the Commonwealth the time for the withdrawal of candidates for nomination or election at any primary and the time for filing objections to nomination petitions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (k) of section three hundred two and sections nine hundred fourteen and nine hundred seventy-seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Comomnwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of act relating to elections" are hereby amended to read as follows

Section 302 Powers and Duties of County Boards The county boards of elections within their respective counties shall exercise in the manner provided by this act all powers granted to them by this act and shall perform all the duties imposed upon them by this act which shall include the following

* * * *

(k) To receive from district election officers the returns of all primaries and elections to canvass and compute the same and to certify no later than the third Monday following the primary or election the results thereof to the Secretary of the Commonwealth as may be provided by law and to such other authorities as may be provided by law

Section 914 Withdrawal of Candidates Any of the candidates for nomination or election at any primary may withdraw his name as a candidate by a request in writing signed by him and acknowledged before an officer empowered to administer oaths and file in the office in which his nomination petition was filed Such withdrawals to be effective must be received in the office of the Secretary of the Commonwealth not later than 5 o'clock P M on the [fifth] seventh day next succeeding the last day for filing nomination petitions in said office and in the office of any county board of elections not later than the ordinary closing hour of said office on the [fifth] seventh day next succeeding the last day for filing nomination petitions in said office No name so withdrawn shall be printed on the ballot or ballot labels No candidate may withdraw any withdrawal notice already received and filed and thereby reinstate his nomination petition

Section 977 Objections to Nomination Petitions and Papers All nomination petitions and papers received and filed within the periods limited by this act shall be deemed to be valid unless within [five] seven days after the last day for filing said nomination petition or paper a petition is presented to the court of common pleas of the county in which the nomination petition or paper was filed specifically setting forth the objections thereto and praying that the said petition or paper be set aside A copy of said petition shall within said period be served on the officer or board with whom said nomination petition or paper was filed Upon the presentation of such a petition the court shall make an order fixing a time for hearing which shall not be later than ten days after the last day of filing said nomination petition or paper and specifying the time and manner of notice that shall be given to the candidate or candidates named in the nomination petition or paper sought to be set aside On the day fixed for said hearing the court shall proceed without delay to hear said objections and shall give such hearing precedence over any other business before it and shall finally determine said matter not later than fifteen (15) days after the last day for filing said nomination petitions or papers If the court shall find that said nomination petition or paper is defective under the provisions of section 976 or does not contain a sufficient number of genuine signatures of electors entitled to sign the same under the provisions of this act or was not filed by persons entitled to file the same it shall be set aside If the objections relate to material errors or defects apparent on the face of the nomination petition or paper or on the face of the accompanying or appended affidavits the court after hearing may in its discretion permit amendments within such time and upon such terms as to payment of costs as the said court may specify In case any such petition is dismissed the court shall make such order as to the payment of the costs of the proceeding including witness fees as it shall deem just If a person shall sign any nomination petitions or papers for a greater number of candidates than he is permitted under the provisions of this act if said signatures bear the same date they shall upon objections filed thereto not be counted on any petition or paper and if they bear different dates they shall be counted in the order of their priority of date for only so many persons as there are candidates to be nominated or elected

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 685, as follows:

An Act to further amend clause nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by extending the time within which former employes of the Commonwealth may reenter the retirement association and secure the status of an original member thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause nine of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 683) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

9 "Original member" of the retirement association shall mean a State employe who was at any time a State employe prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred [thirty-five] thirty-seven

Any such State employe who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack.
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent.
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 709, entitled:

An Act authorizing the secretary of the board of health in the various cities of the third class throughout the Commonwealth, during the continuation of the present war and for six months thereafter, to search and issue certified copies of birth and death records maintained by such cities after the State-wide system for registering vital statistics was established; requiring that such birth and death records be made available to the secretary of the board of health for the purposes of this act; and authorizing the respective city councils to prescribe fees for such services.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. YESTER. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 731, as follows:

An Act to further amend subsection (c) of the section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" fixing the mileage of judges of election for transmitting returns of primaries and elections and ballot boxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" as amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 376) is hereby further amended to read as follows

Section 412 Compensation of Election Officers

* * * * *

(c) For transmitting returns of primaries and elections and the ballot box or boxes all judges of election shall be entitled to receive the additional sum of two dollars and fifty cents ($2.50) and [three cents ($.03)] five cents ($.05) per mile for mileage as full compensation for said services

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,

Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix.
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack
Fleming,
Foor,
Hall,
Hamilton,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 747, entitled:

An Act to further amend clause (f) and to amend clause (g) of section twenty of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, bodies of electors, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commission, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, real estate brokers, rental agents, certain public service companies, persons, firms, and corporations operating vehicles for moving furniture and household goods, and boards of school directors; and imposing penalties," by changing procedure relating to registration of state and federal employes.

On the question,

Will the House agree to the bill on third reading?

Mr. MORAN. Mr. Speaker, in the absence of the sponsor of this bill, I ask that it be passed over.

The SPEAKER. If there is no objection this bill will be passed over. The Chair hears none.

Mr. WATKINS. Mr. Speaker, on behalf of the sponsor of the bill I feel that it is my duty to ask the gentleman from Allegheny why he wants this bill passed over. This bill and two of the other bills have been on the calendar for some days. They have to do with first class cities and there shouldn't be any reason for passing this bill over.

Mr. MORAN. Mr. Speaker, I wanted an explanation of the bill and I thought since the sponsor was absent it would not hurt the bill to wait until the next legislative day. Of course, if the gentleman, Mr. Watkins, wishes to explain the bill that is perfectly all right with me.

Mr. WATKINS. I am willing to do that, Mr. Speaker.

The SPEAKER. Does the gentleman from Schuylkill, Mr. Watkins, desire to explain the bill?

Mr. WATKINS. I don't care, Mr. Speaker, but the Chair has already agreed that the bill be passed over.

The SPEAKER. Unanimous consent is required to bring the bill back on the calendar.

Mr. WATKINS. Mr. Speaker, I will then ask unanimous consent to bring the bill back on the calendar.

The SPEAKER. Will the House give its unanimous consent? Is there objection?

Mr. BAKER. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and the bill will be passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 770, as follows:

An Act to further amend section four of the act approved the first day of May one thousand nine hundred and thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" by adding clause (d) providing for future rehabilitation programs in public schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the first day of May one thousand nine hundred and thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" as last amended by section three of the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2548) is hereby further amended by adding after clause (c) a new clause to read as follows

Section 4 Any school district may through its board of school directors

* * * * *

(d) Contract with public or private agencies for the use of its vocational school facilities for the education and training of the wards or clients of such public or private agencies Provided That the total income to the school district from such contracts and from appropriations to the school district from Commonwealth funds for the support of vocational education shall not exceed the full and true cost of the program of vocational education of the school districts

On the question,

Will the House agree to the bill on third reading?

Mr. VAN ALLSBURG. Mr. Speaker, I respectfully ask that this bill be passed over in its order.

Mr. RILEY. Mr. Speaker, I would like to inquire the reason for asking that this bill be passed over.

Mr. VAN ALLSBURG. Mr. Speaker, in reply to the gentleman I notice that this bill refers to a rehabilitation program and this is the first time it has come to my attention. The question arose as to whether or not there might not be some overlapping of rehabilitation service in the schools. The reason I desired to have the bill held over was in order that I might have time to check it between now and Monday as to the type of rehabilitation provided for, in view of the fact that we already have rehabilitation service rendered by other departments. That is the only reason I had. I do not object to the bill except as to the possible overlapping of services.

Mr. RILEY. Mr. Speaker, I think we can assure the gentleman that there will be no overlapping. I think that can be readily cured by a brief explanation of the bill.

Mr. VAN ALLSBURG. Mr. Speaker, will the gentleman please state what the type of work is?

Mr. RILEY. Mr. Speaker, in reply to the gentleman's question I might state that this bill was requested by the school district of the city of Williamsport and would permit them, if enacted into law, to contract with federal, state or private agencies to teach clients or wards, if they may be so called, in other words vocational training or vocational equipment, I should say. The people who would be directly affected would be men who have been incapacitated either by reason of injury or accident in the war or by dislocation of industry because of the war. The bill would permit any school district to enter into a contract with a public or private agency, just as it is doing now. I should like to qualify that now by saying that there are some ten or twelve private agencies which are doing this same work and doing it at considerable cost to those who are involved. This would permit a vocational district to contract with any of these agencies or all of them at no cost to the school district, and to improve the facilities of the regular vocational schools, like perhaps obtaining equipment or other facilities which they do not now enjoy and which would then be used in regular vocational training.

Mr. VAN ALLSBURG. Mr. Speaker, after listening to the interpretation of this bill I am satisfied that there would be no overlapping with other agencies of the state, and therefore I withdraw my request.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 792, as follows:

An Act to further amend section one thousand four hundred and one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officers of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by clarifying lien of interest

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand four hundred and one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Comomnwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the eleventh day of June one thousand nine hundred and thirty-five (P. L. 303) is hereby further amended to read as follows

Section 1401 Liens of Taxes Interest Penalties and Other Accounts Due to the Commonwealth All State taxes imposed under the authority of any law of this Commonwealth now existing or that may hereafter be enacted and unpaid bonus [interest] penalties and all public accounts settled against any corporation association or person including interest thereupon shall be a first lien upon the franchises and property both real and personal of such corporation association or person from the date of settlement and whenever the franchises or property of a corporation association or person shall be sold at a judicial sale all taxes interest bonus penalties and public accounts due the Commonwealth shall first be allowed and paid out of the proceeds of such sale before any judgment mortgage or any other claim or lien against such corporation association or person Provided however Where the lien of a ground rent mortgage or other lien created by or entered against a predecessor in title to such corporation association or person is discharged by a judicial sale the lien of the Commonwealth shall be transferred from the property sold to the fund realized from the sale and the purchaser shall take free of the lien of the Commonwealth notwithstanding that the fund may be insufficient to pay all or any part of the same and on distribution of the fund the Commonwealth's lien shall be postponed in payment to said lien or liens created by or entered against such predecessor in title but shall not be postponed in payment to local taxes or municipal claims Provided further That the Department of Revenue with the approval of the Attorney General and Auditor General may release from the lien of such taxes such part or parts of the real property of any corporation as may be requested by such corporation or owners or lien creditors thereof upon payment of such proportionate part of the taxes due as the value of the real property released bears to the vaue of all the real property bound by such lien and the department shall furnish the person or corporation paying such tax with a certificate showing the property released which certificate may be recorded in the office of the [recorded] recorder of deeds of the county in which the land lies But the lien of transfer inheritance taxes shall be limited to the property chargeable therewith and unless such taxes shall be sued for within five years after they are due they shall cease to be a lien as against any purchaser of real estate

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 808, as follows:

An Act to provide for certain powers related to the war emergency to the Department of Public Assistance and county boards of assistance providing for assistance to individuals in distress because of enemy action or the danger thereof providing for the expenditure of State funds therefor and for the acceptance of reimbursement from the United States Government of funds so expended

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Public Assistance and county boards of assistance subject to rules of the State Department of Public Assistance shall have authority to provide financial aid and other assistance for all individuals within the State who are in need or distress by reason of any enemy action or activity or the danger thereof or any action of the military or civilian authorities to meet military exigency or the failure due to the war of normal obligations or the disruption of normal relationships involving protection care or support and in the furtherance of such program to cooperate with the Federal Government in the administration of any Federally financed assistance program therefor operation of which is delegated to State and local public assistance agencies and to pay out and expend where necessary State funds appropriated to the Department of Public Assistance for assistance and administrative purposes pending receipt of Federal reimbursement

Section 2 All reimbursements received by the Department of Public Assistance from the United States Government for assistance under this act shall be paid into the State Treasury through the Department of Revenue and credited to the biennial appropriation made to the Department of Public Assistance

Section 3 Without individual consent no personal or confidential information shall be utilized or disclosed for purposes unrelated to the administration of the program

Section 4 Nothing in this act shall impair or interfere with the functions or authority of the State Council of Defense

Section 5 This act shall become effective immediately upon its final enactment and shall remain in force for the duration of the existing state of war and for six months after termination thereof by the signing of a definitive treaty of peace or by the proclamation of the President of the United States that hostilities have ceased or that the emergency in justification of extraordinary war-time powers no longer exists whichever is the earliest in point of time

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook.
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely.
Erb,
Ewing,
Figlock,
Flack.
Fleming,
Foor.
Fox.
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 812, as follows:

An Act to further amend sections four hundred four four hundred eight and four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by providing for appeals to the Superior Court from the refusal of the board to issue renew or transfer licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred four four hundred eight and four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) are hereby further amended to read as follows

Sections 404 License Hearings Appeals from Refusal of Board to Issue Renew or Transfer Licenses The board may of its own motion and shall upon the written request of any applicant for club hotel or restaurant liquor license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for| liquor license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant Any applicant who has appeared before the board or any agent thereof at any hearing as above provided who is aggrieved by the refusal of the board to issue a hotel or restaurant or club liquor license or to renew or transfer a hotel restaurant or club liquor license may appeal within twenty days from the date of refusal to the court of quarter sessions of the county in which the hotel or restaurant or club is located Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice The court shall hear the application de novo at such time as it shall fix of which notice shall be given to the board The court shall either sustain the refusal of the board or order the issuance of the license to the applicant [There shall be no further appeal] The parties to the proceeding before the court of quarter sessions may within thirty days from the filing of its order or decree appeal therefrom to the Superior Court Any appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise

Section 408 Licenses Not Assignable Transfers (a) Licenses issued under this act may not be assigned The board is hereby authorized to transfer any license from one person to another or from one place to another within the same municipality or both as the board may determine but no transfers shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not originally have been issued lawfully Upon any refusal to grant a transfer the person aggrieved shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses together with the right of the parties to appeal to the Superior Court [The action of the court of quarter sessions shall be final]

(b) Every applicant for a transfer of a license shall file a written application with the board together with a filing fee of twenty dollars at such time as the board shall fix in its regulations and shall also file an approved bond as required on original applications for licenses Whenever any license is transferred no license or other fees shall be required from the person to whom such transfer is made for the balance of the then current license year

(c) In the event that any person to whom a license shall have been issued under the provisions of this act shall become insolvent make an assignment for the benefit of creditors become a bankrupt by either voluntary or involuntary action the license of such person shall immediately terminate and be cancelled without any action on the part of the board and there shall be no refund made or credit given for the unused portion of the license fee for the remainder of the license year for which said license was granted Thereafter no license shall be issued by the board for the premises wherein said license was conducted to any assignee committee trustee receiver or successor of such licensee until a hearing has been held by the board as in the case of a new application for license In the case of death of a licensee the board may transfer the license to the surviving spouse or personal representative or to a person designated by such representative In all such cases the board shall have the sole and final discretion as to the propriety of the issuance or transfer of the license for such premises and as to the time it shall issue and the period for which it shall be issued and shall have the further power to exact conditions under which said license shall be conducted

Section 410 Revocation and Suspension of License Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws or any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor or malt or brewed beverages by any license his officers servants agents or employes or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citation shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the license or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses together with the right of the parties to appeal to the Superior Court Such appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of hotel restaurant and club licensees the offer in compromise shall be at the rate of ten dollars for each day of suspension and in the case of importers and sacramental wine licenses the offer in compromise shall be at the rate of thirty dollars per day No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of one hundred days

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MORAN. I would like to have this bill explained, Mr. Speaker.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, for the information of the gentleman, under the present law no appeal can be taken from the Court of Quarter Sessions of the various counties on appeals in liquor cases. No appeal can be taken in liquor cases from the Court of Quarter Sessions of that county. We have a situation in this state where the courts of some counties have ruled one way and the courts of the remaining counties have ruled the other way, and since there is no provision for an appeal to the Superior Court to have the questions ruled on by this court, we find that the Liquor Control Board is required to recognize the decisions of the respective courts in the respective counties. This will standardize the law and make it uniform by having the Superior Court rule in the matter, and the effect, of course, of the Superior Court's ruling would be statewide.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton.
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodwin,
Goodling,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson.
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Watkins,
Walton,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 813, as follows:

An Act to amend sections three hundred ten and three hundred eleven of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) enittled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for monthly returns and payment by issuing agents and requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three hundred ten and three hundred eleven of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" are hereby amended to read as follows

Section 310 Issuing Agents to Keep Record and Make Report Each issuing agency of this Commonwealth shall keep a correct and complete record of all resident and nonresident hunters' licenses issued by him Each issuing agent shall at the close of each [week] month forward a [weekly] monthly report to the Department of Revenue on blanks furnished to him a complete list of licenses granted during the previous [week] month in correct numerical sequence with names and addresses of licensees and such other information and data as the Department of Revenue may require A duplicate copy of said report shall be forwarded to the director and a triplicate copy of the report shall be retained in the office of the issuing agent which shall be open at any reasonable hour to the inspection of any officer of the Commonwealth whose duty it is by law to protect the game of the Commonwealth or to any landowner or his representative to any representative of the Department of Revenue or to any representative of the Department of the Auditor General

Section 311 Agents to Collect and Remit License Fees Reports Compensation The agents designated by the Department of Revenue for the collection of said license fees for their services rendered in collecting and paying over the same shall as long as they continue to be agents of the Department of Revenue be allowed to retain not to exceed the sum of ten cents from the amount paid for each resident hunter's license and not to exceed twenty-five cents from the amount paid for each nonresident hunter's license which amount shall be full compensation for services rendered by them under the provisions of this act such compensation to be disposed of by the respective issuing agents as may now or hereafter be provided by law Each issuing agent shall remit all balances arising from this source at the end of each [week] month to the State Treasurer through the Department of Revenue upon a form to be supplied by the Department of Revenue which [weekly] monthly remittance shall be accompanied by a copy of the list of licenses issued during the previous [week] month All such moneys shall be placed in the Game Fund by the State Treasurer

Every agent designated to issue hunter's licenses unless already under bond to cover the handling of public funds shall give bond to the Commonwealth in [the sum of] such sum as shall be fixed by the Secretary of Revenue but not less than one thousand dollars ($1,000.00) before the annual supply of licenses is delivered to him

Any issuing agent who shall fail to comply with any of the provisions of this act relating ot hunters' licenses shall not be entitled to retain the sum hereinbefore fixed for his services but such sums shall be paid to the State Treasurer and if not so paid may be recovered by the Commonwealth by suit in the same manner as like amounts are now by law recoverable

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,

Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack.
Fleming,
Foor,
Gilian,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss.
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 847, as follows:

An Act to amend the title and section four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not othewise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" by extending the limitation of the initiation of such projects from December thirty-first one thousand nine hundred forty-three until December thirty-first one thousand nine hundred forty-five

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the title of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federa Government to provide safe and sanitary dwellings for persons engaged in national defense activities" is hereby amended to read as follows

An Act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until [December 31 1943] December 31 1945 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities

Section 2 Section four of said act is hereby amended to read as follows

Section 4 During the national defense period every housing authority shall have the power to undertake the development and administration of projects within its field of operation to provide safe and sanitary dwellings for persons engaged in national defense activities but no housing authority shall initiate the development of any such project pursuant to this act after [December 31 1943] December 31 1945

In the ownership development or administration of such projects a housing authority shall have all the rights powers privileges and immunities that such authority has under any provision of law relating to the ownership development or administration of slum clearance and housing projects for persons of low income with the same force and effect as though all the provisions of law applicable to slum clearance and housing projects for persons of low income were applicable to projects developed or administered to provide safe and sanitary lwellings for persons engaged in national defense activities as provided in this act Provided That any project developed or administered by any housing authority (or by any housing authority cooperating with it) pursuant to this act as agent for the Federal Government or otherwise as provided herein shall not be subject to the rental and tenant selection limitations provided in the Housing Authorities Law but such authority shall fix fair rentals for such projects within the financial reach of persons engagel in national defense activities And provided further That a housing authority may enter into any agreements with counties cities boroughs townships school districts or institution districts to pay such sum or sums of money as may be agreed to in lieu of taxes for general services rendered by such county city borough township school district or institution district or to pay for services facilities works privileges or improvements furnished for or in connection with any such projects without being limited to the cost thereof In the case of a project administered by a housing authority pursuant to this act other than as agent of the Federal Government any revenue in excess of that necessary with other available funds to pay any bonds or other obligations administrative maintenance and operating expenses and to provide for reasonable reserves in connection with such project shall be held and used by the authority for its general corporate purposes

After the national defense period any such projects owned and administered by a housing authority shall be administered for the purpose and in accordance with the provisions of the Housing Authorities Law

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 143, as follows:

An Act validating certain expenditures heretofore made by county commissioners in order to furnish filing cabinets or other office equipment to rationing boards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any board of county commissioners has heretofore expended county funds to purchase and furnish filing cases or other office equipment to any rationing board or similar agency operating in such county and if such purchase does not evidence any fraud or conspiracy to violate the provisions of any laws of the Commonwealth regulating the affairs of counties then such purchase or expenditure of funds is hereby authorized ratified confirmed and validated notwithstanding the fact that such expenditure of funds or purchase exceeded the authority of said board of county commissioners

No board of county commissioners or any member thereof shall be subject to surcharge for any expenditure or purchase as aforesaid

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 584, as follows:

An Act authorizing counties of the second class to regulate the production of smoke from chimneys smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations and providing penalties for the violation thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Counties of the second class shall have the power by resolution or ordinance to regulate the production or emission of smoke from any chimney smokestack or other source within such county Said regulations may include provisions for the payment of fees for examination of plans and issuing of permits for inspection of fuel-burning devices and issuing certificates of compliance with such regulations and providing for fines and penalties as hereinafter set forth for the violation of any such regulation

Section 2 The boards of commissioners of such counties may borrow appropriate and expend money for the purpose of effectuating the foregoing power and may appoint inspectors and other persons for the enforcement of any such regulation and may authorize the employment of clerks stenographers and different assistants and fix their compensation and authorize the acquisition of equipment property and supplies incidental to the carrying into effect of such regulations

Section 3 Any person who shall violate any regulation so resolved upon or ordained the same not being inconsistent with any law of this Commonwealth or the Constiution thereof or with any law of the United States of America or the Constitution thereof shall be guilty of a misdemeanor and upon conviction thereof shall pay such fine not exceeding one hundred dollars ($100) as may be prescribed by such resolution or ordinance to be recovered before any alderman or justice of the peace of such county which fines shall be paid into the county treasury and in default of payment of such fine the defendant shall be imprisoned in the county jail for a period not exceeding thirty (30) days

Section 3 This act shall become effective six (6) months after the cessation of the war in which the United States is now engaged

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 522, as follows:

An Act relating to post-war planning creating a Post-War Planning Commission and defining its powers and duties conferring powers and duties upon State administrative departments boards and commissions political subdivisions and other agencies and making appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the Post-War Planning Law

Section 2 There is hereby created and established directly under the Governor a commission to be known as the Pennsylvania Post-War Planning Commission hereinafter termed "commission"

Section 3 The commission shall consist of ten members to be appointed by the Governor The membership of the commission shall be so selected as to be representative of the industrial labor agricultural business educational and civic life in the Commonwealth of Pennsylvania The members shall serve without compensation but may receive their traveling and other expenses incurred in the performance of the work of the commission The Governor shall have the power to fill any vacancy occurring in the membership of the commission Six members of the commission shall constitute a quorum All of the provisions of the Act of April 9 1929 (P. L. 177) as amended designated as "The Administrative Code of 1929" which apply generally to administrative departments or independent administrative boards and commissions or generally except to the Departmen of the Auditor General and the Treasury Departmen shall apply to the commission

Section 4 The Governor shall also appoint a Directo who shall be an ex officio member of the commissio The Director shall with the approval of the Governo appoint an Assistant Director and such experts statisticians clerks stenographers and other assistants and employes as may be required for the proper conduct of the work of the commission The Director with the approva of the Governor shall have power to appoint technica advisory committees to advise on the technical phase of the work of the commission The members of the technical advisory committees shall serve without compensation but may receive their traveling or other expenses incurred in the performance of the work of the commission

Section 5 The Director shall receive such compensation as shall be fixed by the Governor The Assistan Director and such experts statisticians clerks stenographers and other assistants and employes as are engaged in the work of the commission shall receive such compensation as shall be fixed by the Director with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board for similar positions in the State service

Section 6 The commission shall have the power and its duty shall be to undertake studies and research t prepare such plans and to recommend such measures and to assist in their execution as shall be deemed necessary to offset as far as possible the economic dislocation of the post-war period and to create and maintain employment in order to prevent the recurrence of mass unemployment with resultant threats to the health wealth prosperity and morale of the citizens of this Commonwealth

Section 7 Without impairment of the general powers and duties conferred by the preceding section of this act the commission shall have the specific power and its duty shall be

(a) To formulate plans for the utilization and the conversion of war plants for post-war needs the development of post-war markets the diversification and integration of regional production and the fullest use of all native materials agricultural products the means of transportation and labor resources of the Commonwealth in order that post-war production may be stimulated and employment created and maintained during the post-war adjustment period

(b) To formulate and carry into effect a comprehensive plan of industrial research for the development of the fullest use of raw materials of the Commonwealth and the industrial products of agriculture including mineral research to discover further resources of oil coal iron or other mineral deposits within the Commonwealth and an analysis of the industrial waters of the Commonwealth the utilization of existing raw materials and the development of their further possibilities as a source for chemical and plastic products the possibilities of the development of industrial oil fibre or other agricultural crops and their utilization in local industries

(c) To organize or to assist and coordinate the efforts of local and regional committees organizations and clubs for the appraisal of local resources and for the integration of local industries plant facilities raw materials and agriculture in order to stimulate local post-war production and the employment of local labor

(d) To make or cause to be made studies of labor supply war-time population movements or changes and such other social factors as define the extent of the post-war employment problem

(e) To make or cause to be made studies of and to develop plans for meeting the various acute post-war regional problems of industry in the Commonwealth with the objective of a greater diversification of production and a fuller use of existing raw materials for the manufacture of consumers' goods in the anhtracite bituminous and steel producing regions of the Commonwealth

(f) To formulate plans to develop the fuller post-war use of the facilities of the ports of the Commonwealth for foreign and domestic commerce

(g) To undertake or cause to be undertaken an investigation of the transportation systems and facilities in the Commonwealth to permit the most economical distribution of agricultural industrial and mineral products raised manufactured or mined in the Commonwealth and to permit a more economical location of industrial plants in the Commonwealth

(h) To study or cause to be studied the effects of obsolescence of existing supplies and materials on post-war markets the changing pattern of consumer needs and the effect of Federal taxes and expenditures upon consumer purchasing power

(i) To study or cause to be studied the comparitive effect of State taxes upon the cost of manufacture of products in Pennsylvania as compared to other industrial states

(j) To prepare or cause to be prepared plans and to recommend measures to rehabilitate disabled veterans and provide immediate employment and civilian readjustment for the men and women honorably discharged from the armed forces of the United States

(k) To investigate and develop or cause to be developed plans for the extension of vocational education and the training and re-training of workers and men and women honorably discharged from the armed forces of the United States for peace-time employment

(l) To prepare or cause to be prepared general and specific plans for a long-range program of public works by the Commonwealth and its political subdivisions including public buildings highways drainage and sanitary systems anti-stream pollution flood control aviation fields parkways bridges waterways harbors parks recreation centers forest reservations slum clearance and housing

(m) To formulate or cause to be formulated plans for and to assist in the establishment of agricultural and home industries for the post-war employment of persons otherwise employable because of age physical incapacity or otherwise in the manufacture of useful and necessary products from raw materials

(n) To cooperate with similar and other agencies of other states and of the Federal government in formulating and adopting comprehensive regional plans in furtherance of any of the powers and duties heretofore enumerated

(o) To adopt amend and repeal rules regulations and by-laws governing its procedure and activities

Section 8 The commission in carrying out the aforesaid powers and duties shall act so far as practicable in a coordinating capacity and shall not duplicate the work of any existing State or political subdivision agency The provisions of this act shall not be deemed to repeal or impair any law now in effect and shall not curtail the powers and functions of any administrative department board or commission of the Commonwealth or of any political subdivision of the Commonwealth So far as practicable the commission shall utilize the services and facilities of existing administrative departments boards and commissions of the Commonwealth the political subdivisions of the Commonwealth and any agency thereof the universities colleges and other educational or endowed institutions in the Commonwealth and civic and other planning bodies in the Commonwealth The commission shall devise a practical and working basis for the cooperation and coordination of the powers and duties of the aforementioned State local and other agencies in order that there will be no duplication and overlapping of the powers duties or functions of such agencies in carrying out the purpose of this act

Section 9 The sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Pennsylvania Post-War Planning Commission for the payment of the salaries wages and other compensation of the Director Assistant Director and the experts statisticians clerks stenographers and other assistants and employes for the payment of traveling and other expenses authorized by this act for postage stationery equipment printing and supplies for the making of researches surveys investigations comprehensive plans and programs and architectural and engineering plans and specifications and any other expenses whatsoever necessary for the proper conduct of the work of the commission

Section 10 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, House Bill 522 was debated quite at length a couple of weeks ago when this side of the House offered amendments which were rejected almost in toto. The Democrats will, of course, vote for this bill only because in the title it says, "Relating to post war planning." We agree that there should be an act relating to post war planning. We, however, disagree with the method, the scheme, the organization and the lack of real proposals to be taken up by the commission for post war planning in Pennsylvania. We think the bill is almost all right but we think that it lacks certainty and a great deal of activity for the commission. We want the record to show that we will vote for the bill but that we think that it could be a lot better.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—165

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—1

Moran,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 650, as follows:

An Act to further amend section three hundred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P .L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing counties of the third fourth and fifth classes during the war period to enter into contracts up to five hundred dollars without advertising for bids

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hunndred forty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twelfth day of June one thousand nine hundred forty-one (P. L. 120) is hereby further amended to read as follows

Section 348 Contracts All contracts made by the commissioners of any county involving an expenditure exceeding one hundred dollars except contracts for building rebuilding or repair of bridges or for painting or tightening the bolts of iron bridges as hereinafter provided for shall be in writing and shall immediately after their execution be filed with the controller No contract shall be made nor the payment thereof certified by the controller for over three hundred dollars except in counties of the second class and in counties of the third fourth and fifth classes in which counties [of the second class] the amount of said contract shall not exceed ($500.00) five hundred dollars unless made with the lowest and best bidder after due notice to be published by the controller if he approves the purpose of the proposals invited All bids shall be received by the controller under seal and shall be opened in his presence by the commissioners and the contracts awarded thereon The controller shall keep a record of all such awards and shall certify no warrants for contracts not made agreeably thereto Provided however That on an appeal heretofore or hereafter taken from a controller's report the court shall not be required to enter or to sustain a surcharge for failure to comply with the provisions of this section where it appears that the county commissioners acted honestly and in good faith for the best interests of the county and where no loss or damage resulted to the county from such non-compliance Provided That during the continuation of the present wars in which the United States is engaged and for a period of six months after the cessation of all hostilities the contracts which must be made with the lowest and best bidder after advertisement in counties of the third fourth and fifth classes shall be those involving an expenditure of over five hundred dollars ($500) But thereafter the limitation of three hundred dollars ($300) shall apply as heretofore

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.
Wood, N.,
Worley,
Wright,
Yeakel,

Figlock,
Flack,
Fleming,
Foor,
Kitchen,
Kline,
Kowalski,
Krepps,
Reese, D. P.,
Regan,
Reilly,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 396, Printer's No. 275, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 690, as follows:

An Act to further amend clause seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" extending the time for officers and employes of the Department of Public Instruction to withdraw from the Retirement System and receive reimbursement for moneys paid in and requiring payments from the School Employes' Retirement Fund into the State Employes' Retirement Fund in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That clause seven of section one of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 650) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

(7) "Employe" shall mean any teacher principal supervisor supervising principal county superintendent district superintendent assistant superintendent any member of the staff of the State [Normal Schools] Teachers Colleges or of the staff of the State Department of Public Instruction or of the staff of the State Council of Education or any clerk stenographer janitor attendance officer or other person engaged in any work concerning or relating to the public schools of this Commonwealth or in connection therewith or under contract or engagement to perform one or more of these functions Provided That no person shall be deemed an employe within the meaning of this act who is not regularly engaged in performing one or more of these functions as a full-time occupation outside of vacation periods In all cases of doubt the retirement board shall determine whether any person is an employe as defined in this act And provided further That those officers and employes of the Department of Public Instruction who are members of or are entitled to membership in the retirement system herein established may withdraw from the system and be entitled to reimbursement of moneys which they have paid in by so electing in writing filed with the retirement board on or before the [first day of July one thousand nine hundred and thirty-six] thirty-first day of December one thousand nine hundred forty-three After said date all new officers and employes in the Department of Public Instruction shall be members of said system unless they elect otherwise in writing filed with the retirement board within one year after beginning their employment

In every case where any officer or employe of the Department of Public Instruction withdraws from the system and becomes a member of the State Employes' Retirement Association after the effective date of this amendment the Public School Employes' Retirement Board shall transfer to the State Employes' Retirement Fund from the School Employes' Retirement Fund an amount equal to the State annuity reserve of such officer or employe in the School Employes' Retirement Fund

Section 2 The Provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona.
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 736, as follows:

An Act to further amend section sixteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" by providing for the surrendering by persons in military service of licenses granted to them the renewal thereof by the board during the licensee's continuance in such service and the renewal thereof thereafter

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section sixteen of the act approved the third day of May one thusand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) is hereby further amended to read as follows

Section 16 Renewal of Licenses (a) All applications for renewal of licenses shall be filed at least sixty days before the expiration date of same and not thereafter as provided in board regulations Unless the applicant shall have been formally notified by the board of objections to the renewal of his license based upon violation by the license or his servants agents or employes of any of the laws of the Commonwealth or regulations of the board relating to the manufacture transportation use storage importation possession or sale of liquors alcohol or malt or brewed beverages or the conduct of a licensed establishment or unless the applicant has by his own act become a person of ill repute or unless the premises do not meet the requirements of this act or the regulations of the board the license of a licensee shall be renewed when the applicant shall file with the board a new bond and shall pay the requisite filing fee and license fee specified in this act

[(c)] (b) In case where a license or his servants agents or employes are arrested charged with violating any of the laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages and where the board has on file in such cases reports of its enforcement officers or investigators or from other sources that a licensee or his servants agents or employes have violated any of the aforementioned laws and a proceeding to revoke such licensee's license is or is about to be instituted and such arrest occurs or report of violations is received or revocation proceeding instituted or about to be instituted during the time a renewal application of such license is pending before the board the board may in its discretion renew the license notwithstanding such alleged violations but such renewal license may be revoked by the board in the manner herein provided for the revocation of licenses if and when the licensee or any of his servants agents or employes are convicted of or plead guilty to violations under the previous license as aforesaid or if and when such previous license is for any reason revoked

In the event such renewal license is revoked by the board neither the license fee paid for such license nor any part thereof shall be returned to the licensee but the license bond filed with the application for such renewal of license shall not be forfeited

(c) Notwithstanding anything to the contrary in this section any individual who holds a retail dispenser (hotel or eating place) license in effect at the time such individual enters the armed forces of the United States of America may surrender to the Pennsylvania Liquor Control Board for safekeeping the said license and if surrendered shall furnish the board with documentary evidence as to his entering such armed forces The Pennsylvania Liquor Control Board shall without the filing of an application for renewal or surety bond the payment of filing and license fees renew the said license from year to year and hold the same in its possession for the benefit of such licensee A license so renewed by the board shall to all intents and purposes be considered as in full force and effect notwithstanding the licensee is not exercising the privileges thereunder and shall be returned to the said licensee at any time within one year from the date of his honorable discharge from the armed forces of the United States upon the filing of an application therefor surety bond and payment of the filing and license fees as hereinafter provided The said application for return of license shall be on a form prescribed by the board accompanied by a filing fee in the sum of ten dollars ($10) and the prescribed license fee except that when such application is filed after a portion of the then current license term has elapsed the license fee shall be prorated on a monthly basis for the balance of the license year Provided however That the said license shall not be returned if the electors of the municipality in which the licensed establishment is situate have voted against the granting of retail dispenser licenses under the local option provision of this act In the event the premises originally covered by the license are not available for occupancy by the licensee at the time he files his application for return of license as hereinbefore provided he shall be permitted to file an application for transfer of the license to other premises in the same municipality Such transfer of the license shall be subject to all of the provisions of this act pertaining to the transfer of licenses

Section 2 This amendment is enacted due to conditions caused by the present war and the said amendment shall remain in effect only until the termination of the said war and one year thereafter

Section 3 All acts and parts of acts in so far as they are inconsistent with the provisions of this act are hereby suspended

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 213, as follows:

An Act to further amend the third paragraph of section one thousand four hundred and thirteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the provisions for the education of physically and mentally handicapped children

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph three of section one thousand four hundred and thirteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 786) is hereby further amended to read as follows

Section 1413 * * * *

Any child who is reported by an approved mental clinic or by a person who is certified as a public school psychologist or psychological examiner as being uneducable in the public schools may be reported by the board of school directors to the [Department of Welfare] superintendent of Public Instruction and when approved by him shall be certified to the Department of Welfare in accordance with regulations approved by the State Council of Education After any such board shall have thus reported any child it shall be relieved of the obligation of providing education for such child The Department of Welfare shall thereupon arrange for the admission of such child at an appropriate institution for the training of mentally defective children due consideration being given to the availability of space in such institution

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 675, as follows:

An Act to further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to deliquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" making the sale of land purchased at treasur's sale discretionary and authorizing the sale of such property on court order free and clear of all liens charges and estates

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" as amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 498) is hereby further amended to read as follows

Section 17 If the owner of any real property his heirs or legal representatives or lien creditor his heirs assigns or legal representatives or other person interested in property so purchased by the county commissioners shall not redeem the same within such period the county commissioners [shall within six months] may after the expiration of such period sell such lands at public sale or private sale in the manner provided by law for the best price or prices obtainable but they shall not be obliged to sell same Any such lands now owned by the county for which the redemption period has expired [shall] may be sold as herein provided [within six months] at any time after the effective date of this act but shall not be required to be sold After any such sale or in the case of any redemption the property shall be charged by the assessor in the name of the last purchaser or redeemer and such lands shall again be liable for taxes as other lands

The county commissioners before making sale of real property purchased by them at tax sales shall give at least thirty days' notice once a week for three consecutive weeks of such sales particularly designating the tracts that are to be sold This notice shall be inserted in at least two newspapers published in the county if so many are published in said county if there be only one then in such newspaper published in the county

Such advertisement shall set forth

(a) The purpose of such sale

(b) The time of such sale

(c) The place of such sale

(d) The terms of such sale

(e) A list of seated lands affected and their location and the owner or reputed owner of each

The county commissioners may fix an upset price to be realized for any property exposed to sale by them as aforesaid sufficient to pay all costs and all tax claims against the property including tax liens filed in the prothonotary's office of the proper county taxes returned to the county commissioners and entered upon the Tax Return Docket in their office and indexed in the tax lien index in their office and all accrued but unfiled taxes assessed and levied against the property In case the upset price shall not be bid for the property the county commissioners may postpone the sale and file their petition in the court of common pleas of the proper county setting forth that the property was purchased by them at a county treasurer's sale for unpaid taxes that more than two years has elapsed since the property was sold to them by the county treasurer that neither the owner his heirs or legal representatives or any lien creditor his heirs assigns or legal representatives or other person interested has redeemed the property that they exposed the property to public sale that before exposing the property to public sale they fixed an upset price sufficient to pay all costs and all tax claims against the property and that they were unable to obtain a bid sufficient to pay said upset price Upon the presentation of such petition accompanied with searches or title insurance policy showing the state of the record and the ownership of the property and of all tax and municipal claims mortgages ground rents or other charges on or estates in the land the court shall grant a rule upon all parties thus shown to be interested to appear and show cause why a decree should not be made that said property be sold freed and cleared of their respective claims mortgages and estates If upon a hearing thereafter the court is satisfied that service has been made of said rule upon the parties respondent in the manner provided for the service of writs or scire facias to obtain judgments upon tax and municipal claims and that the facts stated in the petition are true it shall order and decree that said property be sold at a subsequent day to be fixed by the court without further advertisement clear of all claims liens mortgages charges and estates to the highest bidder at such sale and the proceeds realized therefrom shall be distributed in accordance with the priority of such claims and the purchaser at such sale shall take and forever thereafter have an absolute title to the property sold free and discharged of all tax and municipal claims liens mortgages charges and estates of whatsoever kind

After such sale the county commissioners shall make and deliver a deed being acknowledged before an officer authorized to acknowledge deeds [Such] Where the sale is made without securing an order of court as aforesaid such deed shall pass such title as the county commissioners have a right to convey but where the sale is made after securing an order as aforesaid such deed shall pass title free clear and discharged of all tax and municipal claims liens mortgages charges and estates of whatsoever kind.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Lane,
Laughner,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor.

Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Mintess,
Mock,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PARLIAMENTARY INQUIRY

Mr. SARGE. Mr. Speaker, I arise to a parliamentary inquiry.

The SPEAKER. The gentleman from Lebanon will state his parliamentary inquiry.

Mr. SARGE. Mr. Speaker, in order to save time I should like to know whether the eleven "rabbit" bills on today's calendar could be considered at one time.

The SPEAKER. Each bill must be considered separately. The answer is decidedly no.

Mr. MORAN. Mr. Speaker, in order to save the time of the House having to get up on each of the next eleven bills, I wish to be recorded as voting "no".

The SPEAKER. The gentleman will be recorded as voting "no" on each one of the next eleven bills.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 817, as follows:

An Act to amend the title and the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2420) entitled "An act fixing the hours of rest each calendar week and the vacation period of members of the Pennsylvania Motor Police Motor Police and Patrolmen and Guards in Sate Parks" by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2420) entitled "An act fixing the hours of rest each calendar week and the vacation period of members of the Pennsylvania Motor Police Motor Police and Patrolmen and Guards in State Parks" are hereby amended to read as follows

An Act fixing the hours of rest each calendar week and the vacation period of members of the Pennsylvania [Motor] State Police [Motor Police and Patrolmen] and Guards in State Parks

Section 1 Be it enacted &c That each member of the Pennsylvania [Motor] State Police [Motor Police] and each person employed as a [Highway Patrolman or] Park Guard in policing the State Park areas and the highways therein shall be permitted to have at least twenty-four consecutive hours of rest in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebration and to have an annual vacation of not less than fourteen days without diminution of his salary or compensation as provided according to law

Section 2 This act shall become effective on the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wagner, P. L.,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Leonard,
Moran.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 818, as follows:

An Act to amend sections one two and four of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 494) entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescribing the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies" by changing the name Pennsylvania Motor Police to Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two and four of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 494) entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescriibng the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies" are hereby amended to read as follows

Section 1 There is hereby created the Pennsylvania Highway Traffic Advisory Committee hereinafter referred to as the "committee" which shall be composed of a representative of the Depatrment of Highways a representative of the Department of Revenue and a representative of the Pennsylvania [Motor] State Police who shall be appointed by the Governor to serve at his pleasure The Governor shall designate one of its members as chairman The members of the committee shall receive no additional compensation for their services

Section 2 The committee shall have the power and its duty shall be

(a) To cooperate with the agencies of this and other states and of the Federal government which are connected with national defense in the formulation and execution of plans for the rapid and safe movement over the highways of troops vehicles of a military nature and materials affecting the national defense

(b) To coordinate the activities of the Department of Highways the Department of Revenue and the Pennsylvania [Motor] State Police in a manner which will best serve to effectuate any such plan for the rapid and safe movement of troops vehicles and materials as referred to in paragraph (a) of this section

(c) To solicit the cooperation of officials of the various political subdivisions of the Commonwealth in the proper execution of such plans

(d) To take an inventory by counties of the trucks and busses in the Commonwealth publicly and privately owned which would be available in case of emergency affecting the national defense

Section 4 The Department of Highways the Department of Revenue and the Pennsylvania [Motor] State Police with the approval of the Governor shall cooperate with the committee in the use of such of their employes facilities supplies and equipment as the committee with the approval of the Governor shall deem necessary to enable it to carry out its functions under this act The traveling and other expenses of members of the committee and of such employes shall be paid out of the appropriations to the State agencies with which they are associated

Section 2 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones.
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Leonard,
Moran,

The majority required by the Consitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 819, as follows:

An Act to further amend the title and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1314) entitled as amended "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth prescribing the qualifications for admission of such persons to such school providing for the payment of certain costs by such students conferring certain powers upon the Pennsylvania Motor Police and making an appropriation" by imposing upon the Pennsylvania State Police the duties formerly imposed upon the Pennsylvania Motor Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1314) entitled as amended "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth prescribing the qualifications for admission of such persons to such school providing for the payment of certain costs by such students conferring certain powers upon the Pennsylvania Motor Police and making an appropriation" as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2410) is hereby further amended to read as follows

An Act authorizing the utilization of the Pennsylvania [Motor] State Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth prescribing the qualifications for admission of such persons to such school providing for the payment of certain costs by such students conferring certain powers upon the Pennsylvania [Motor] State Police and making an appropriation

Section 2 Sections one two and three of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2410) are hereby further amended to read as follows

Section 1 Be it enacted et cetera That the Pennsylvania [Motor] State Police shall have the power and its duty shall be to conduct at the Pennsylvania [Motor] State Police Training School courses of instruction for the proper training of persons to act as policemen for the several political subdivisions of this Commonwealth Subject to the provisions of this act the Commissioner of Pennsylvania [Motor] State Police is hereby authorized to establish standards of proficiency training and discipline for persons attending such school and to issue certificates of qualification to graduates of the various courses of instruction The commissioner with the approval of the Governor shall employ such instructors and other employes as may be necessary for the purposes of this act

Section 2 All persons desiring admission to such school for the purpose of instruction shall submit applications to the Commissioner of Pennsylvania [Motor] State Police bearing the recommendation of the mayor of any city or the charman of the police committee of any city or borough council or the burgess of any borough or the sheriff or the district attorney of any county No application shall be considered unless such applicant

(a) Is a male citizen of the United States of America

(b) Has good moral character and good health

(c) Is at least five feet eight inches tall and weight at least one hundred forty-five pounds

(d) Is a graduate of a public high school or has an education equivalent thereto

Section 3 The Commissioner of Pennsylvania [Motor] State Police shall establish and charge each student a fee sufficient to cover the cost of the board laundry and supplies applicable to such student Such fee shall be payable in advance in monthly installments but shall not exceed the sum of forty dollars ($40.00) per month

All moneys received or collected hereunder shall be paid into the General Fund of the State Treasury through the Department of Revenue and shall be added and credited to the current biennial maintenance appropriation out of the General Fund to the Pennsylvania [Motor] State Police and shall be available and is hereby appropriated for the same purposes for which such current biennial appropriation is available

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M..
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Leonard,
Moran,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 820, as follows:

An Act to amend the title and certain sections of the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled "An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by changing the name of the Pennsylvania Motor Police Retirement System to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police and conforming said act to existing law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled "An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" is hereby amended to read as follows

An Act establishing a Pennsylvania [Motor] State Police Retirement System providing for payments upon retirement death disability involuntary retirement and certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania [Motor] State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties

Section 2 Sections one two four six nine and ten of said act are hereby amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act shall be construed to have the following meanings

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund and standing to his credit in the fund together with the regular interest thereon

"Beneficiary" any person in receipt of a retirement allowance under this act

"Board" the State Employes' Retirement Board of the [Treasury Department] Department of State

"Contributor" any person who has accumulated deductions in the fund standing to his credit

"Final Salary" the average annual compensation earnable by a contributor before any deductions have been made and exclusive of maintenance allowances and expenses for the five years of service immediately preceding retirement or in the event a member has not served five years the total retirement compensation earnable divided by the number of years served

"Fund" the State Employes Retirement Fund

"Member's Annuity" payments for life derived from contributions made by the contributor

"[Motor] State Police" the Pennsylvania [Motor] State Police

"Original Member" a person employed by the Pennsylvania State Police or the State Highway Patrol prior to January first one thousand nine hundred and twenty-five and who is an employe of the Pennsylvania [Motor] State Police

"New Member" a person who became a member of the Pennsylvania State Police or the State Highway Patrol or the Pennsylvania Motor Police subsequent to December thirty-first one thousand nine hundred and twenty-four

"Prior Service" shall mean service prior to January first one thousand nine hundred and twenty-four

"Regular Interest" interest at the rate of four per centum compounded annually

"Retirement Allowance" the State annuity plus the member's annuity

"State Annuity" payments for life derived from contributions made by the Commonwealth

"Superannuation Retirement Age" shall mean at least (a) sixty years of age during the year one thousand nine hundred and thirty-eight (b) fifty-nine years of age during the year one thousand nine hundred and thirty-nine (c) fifty-eight years of age during the year one thousand nine hundred and forty (d) fifty-seven years of age during the year one thousand nine hundred and forty-one (e) fifty-six years of age during the year one thousand nine hundred and forty-two (f) fifty-five years of age during the year one thousand nine hundred and forty-three (g) fifty-four years of age during the year one thousand nine hundred and forty-four (h) fifty-three years of age during the year one thousand nine hundred and forty-five (i) fifty-two years of age during the year one thousand nine hundred and forty-six (j) fifty-one years of age during the year one thousand nine hundred and forty-seven and (k) fifty years of age during the year one thousand nine hundred and forty-eight or any subsequent year

Section 2 [Motor] State Police Retirement System A retirement system is hereby established for the members of the Pennsylvania [Motor] State Police which system shall be administered by the State Employes' Retirement Board of the [Treasury Department] Department of State

Section 4 Payments into State Employes' Retirement Fund All appropriations made by the Commonwealth out of the Motor License and General Funds all contributions by members of the [Motor] Pennsylvania State Police in the amount hereinafter specified and all interest on and increase of the investments and moneys under this act shall be paid into the State Employes' Retirement Fund and shall be credited to the proper accounts in said fund as provided by law applying to said fund The Commonwealth shall on receiving the certification of the board periodically contribute such sums of money as the actuary shall estimate shall be required to annually meet the obligations incurred or to be incurred and to establish the reserves provided for in this act

Section 6 Compulsory Membership Every member of the Pennsylvania [Motor] State Police having police power shall be required to become a member of the retirement system established by this act on January first one thousand nine hundred and thirty-eight and thereafter when first becoming a member of the Motor Police or Pennsylvania State Police Contributions by members under this act shall commence with the first payroll after January first one thousand nine hundred and thirty-eight If any person who [becomes] became a member of the Motor Police subsequent to January first one thousand nine hundred and thirty-eight or any person who becomes a member of the Pennsylvania State Police subsequent to June first one thousand nine hundred forty-three shall have been at any time theretofore in the Commonwealth's employ he shall receive credit for any such service prior to January first one thousand nine hundred and thirty-eight or prior to June first one thousand nine hundred forty-three as the case may be upon complying with the provisions of this act

Section 9 Payments by Contributors All original and new members shall be required to contribute into the fund at the same rate of contribution according to age as is required of State employes contributing at the one one-hundredth rate under the State Employes' Retirement Act All original employes who were not members of the State Employes' Retirement System shall have the option of becoming original members of the retirement system established by this act but shall be required to pay into the fund a sum equal to all back payments which such person would have made had he become a member of the State Employes' Retirement System when the same was established In like manner any new member may elect to make back payments to the date when he first entered the service of the Pennsylvania State Police [or] the State Highway Patrol or the Pennsylvania Motor Police Such back payments of original and new members may be spread over a period of years by having the regular payroll deduction of the contributor increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the full amount of such back payments have been completed Any such deduction increase may be anticipated in part or in full by the contributor at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then his member's annuity shall be calculated on the total accumulated deductions standing to his credit in the fund and the state annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of back payments not so anticipated

Every contributor who was a member of the State Employes' Retirement System shall receive full credit under this act for all contributions made into the fund and for all service credits to which he was entitled under the State Employes' Retirement System

Section 10 Contributions by the Commonwealth The Commonwealth shall contribute from the General Fund and from the Motor License Fund from time to time sufficient moneys to build up the reserves required to pay to each contributor upon superannuation retirement a State annuity equal to (a) one one-hundredth of his final salary for each year of total service and in addition thereto if an original member of one one-hundredth of his final salary for each year of prior service and (b) an additional State annuity which shall be equivalent to the additional member's annuity which the accumulated deductions standing to the credit of the contributor would purchase if he retired at age sixty under the State Employes' Retirement System

The amounts to be paid by the Commonwealth from the General Fund and the Motor License Fund into the State Employes' Retirement Fund shall be apportioned in the same ratio as the salaries of the members of the Pennsylvania [Motor Patrol] State Police

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Moran,
Leonard,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 824, as follows:

An Act to further amend certain sections of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as reenacted and amended by making the moneys in the Motor License Fund available to the Pennsylvania State Police to defray the expenses required by such agency in the proper conduct of part of its work

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four and seven of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as last re-enacted and amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2412) are hereby further amended to read as follows

Section 4 As much of the money from time to time in the Motor License Fund is hereby appropriated to the Pennsylvania [Motor] State Police as shall be deemed by the Governor to be apportionable to the work of the Pennsylvania [Motor] State Police in enforcing the laws regulating the use of the highways of this Commonwealth and in assisting the Department of Revenue in the collection of motor license fees fees for titling vehicles and tractors operators' license fees and the tax on liquid fuels and the issuance of certificates of title and motor and operators' licenses Such moneys shall be transferred from time to time out of the Motor License Fund to the General Fund shall be credited to the current appropriation out of the General Fund to the Pennsylvania [Motor] State Police and shall be available for the purposes for which such appropriation is appropriated by law

Section 7 Estimates of the amounts to be expended from the Motor License Fund under this act or any other act from time to time by the Department of Revenue the Pennsylvania [Motor] State Police and the Department of Highways respectively and by the Board of Finance and Revenue in the payment of claims for refund shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys whatsoever out of the Motor License Fund by the Board of Finance and Revenue for refunds or by the Department of Revenue or by the Pennsylvania [Motor] State Police or by the Department of Highways for any purpose whatsoever in excess of the estimates approved by the Governor any other act or acts heretofore enacted to the contrary notwithstanding

Subject to the foregoing provisions the moneys in the Motor License Fund shall be paid out of the fund upon warrant of the Auditor General drawn after requisition by the Board of Finance and Revenue the Department of Revenue the Pennsylvania [Motor] State Police or the Department of Highways as the case may be

Section 2 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,

Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reese, D. P.,
Reagan,
Regan,
Reilly,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Leonard,
Moran,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 826, as follows:

An Act to further amend sections eight hundred and twenty-three (i) and (j) and one thousand two hundred and eleven of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended by changing the name Pennsylvania Motor Police to Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (i) and (j) of section eight hundred twenty-three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) are hereby amended to read as follows

Section 823 Official Inspections

(i) The secretary is hereby authorized and required to issue a certificate of school bus inspection for every vehicle owned by or used under contract with any school or school district which conforms with the provisions of this act and with the regulations of the State Council of Education of Pennsylvania Such certificate shall bear the approval of and be counter-signed by the Commissioner of the Pennsylvania [Motor] State Police This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission

(j) The owner of every vehicle which is to be used for the transportation of school children shall in addition to any other inspection required by this act submit such vehicle to the Pennsylvania [Motor] State Police sometime during every August or prior to operating such vehicle for the transportation of school children during the school year to determine whether such vehicle conforms with the provisions of this act and the regulations of the State Council of Education of Pennsylvania This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission

Section 2 Section one thousand two hundred eleven of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby amended to read as follows

Section 1211 Limitation of Authority for Pennsylvania [Motor] State Policemen Such employes of the Commonwealth as are designated as Pennsylvania [Motor] State Policemen are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth to arrest on view on Sunday or any other day when in uniform without writ rule order or process any person violating any of the provisions of this act in addition to any other power or authority conferred by law

Whenever an arrest is made upon view on Sunday or any other day under the provisions of this section the officer making the arrest shall forthwith take the defendant before the nearest available magistrate in the city borough incorporated town or township where the alleged offense occurred Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no magistrate available in such district then the officer shall forthwith take the defendant to such nearest available magistrate in any adjoining city borough incorporated town or township and shall make and file with the magistrate before whom the arrested person is taken an information setting forth in detail the offense and at once furnish a copy thereof to the person arrested

Any person so arrested on any day other than Sunday shall be given the opportunity of having an immediate hearing or of waiving a hearing or of giving bail and any person so arrested on Sunday shall be given the opportunity of giving bail which shall be accepted by the magistrate the same as on any other day as provided in this act for a hearing before the magistrate to be held at a date not more than ten days from the date of such arrest or of waiving a hearing and giving bail for his appearance in court

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Leonard,
Moran,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 829, as follows:

An Act to amend the title and sections four five six and eight of the act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled "A supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled 'An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties'" by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System and the name Pennsylvania Motor Police to Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled "A supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L 2423) as amended entitled 'An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties'" is hereby amended to read as follows

A Supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled "An act establishing a Pennsylvania [Motor] State Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania [Motor] State Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties"

Section 2 Sections four five six and eight of said act are hereby amended to read as follows

Section 4 A member who complies with section two or section three of this act shall be classified by the board as a Pennsylvania [Motor] State Police member in active military service and shall thereafter during such active military service and for a period of forty (40) days after the completion of such active military service be entitled to all the benefits to which he or she may be entitled upon the date of entry into active military service under the provisions of the act to which this is a supplement as fully as though such member continues to be in the actual employment and service of the Commonwealth of Pennsylvania at the salary such member had been receiving on the date of his or her entry into active military service Provided however That such member and his dependent or dependents shall not have the right to those payments upon death for which provision is made in section eleven or to retire upon disability under the provisions of section thirteen or to receive or to have paid for the member's benefit medical surgical and hospital expenses under the provisions of section twenty-two of the act to which this is a supplement except in each case as hereinafter provided If such member returns to the actual employ and service of the Commonwealth within a period of forty (40) days after such active military service the head of the department shall certify such member as an employe with active military service

Section 5 A member who does not file with the board an election to pay his salary deductions into the fund as provided in section two of this act shall be classified as a nonpaying [motor] State police member in active military service of the Pennsylvania [Motor] State Police Retirement System until he or she shall return to the actual employ or service of the Commonwealth or until such member complies with section three of this act in the manner provided or for the period of such active military service and for forty (40) days after the completion of such active military service Such member shall enjoy all the benefits to which the member was entitled upon the date of entry into active military service under the laws of the Commonwealth of Pennsylvania relating to the Pennsylvania [Motor] State Police Retirement System and the State Employes' Retirement Association and the State Employes' Retirement Fund Provided however That such member and his dependent or dependents shall not have the right to the benefit of payments upon death for which provision is made in section eleven of the act to which this is a supplement or the right to the benefit of payment for medical surgical or hospital expenses for which provision is made in section twenty-two of the act to which this is a supplement or the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement except in each case as hereinafter provided If such member returns to the actual employ and service of the Commonwealth within a period of forty (40) days after such active military service the head of the department shall certify such member as employe with active military service

Section 6 A member who shall have withdrawn from actual State employment or actual State service for active military service may after his or her return to actual State employment or actual State service but not more than forty (40) days after the completion of such active military service request the board for a physical and medical examination At a time a place and by an examiner or examiners to be designated by the board the applicant shall appear for and submit to such examination If the examiner or examiners shall find as a fact that such member is free from physical or mental incapacity which renders him or her or is likely to render him or her incapable of performing the duties of his or her employment the examiner or examiners shall so certify to the board whereupon the board shall classify the applicant as a Pennsylvania [Motor] State Police member free from active military service disability and thereupon such member shall become entitled to enjoy all the benefits to which the member was entitled under the act to which this is a supplement on the date of entry into active military service including the retirement allowance payable upon the death of a contributor as a direct and proximate result of injuries received in the course of his employment under the provisions of section eleven of the act to which this is a supplement and the right to retire upon disability under the provisions of section thirteen of the act to which this is a supplement if the cause for disability is not incurred in or related to the member's active military service and the right to medical surgical or hospital expenses thereafter incurred and for which provision is made in section twenty-two of the act to which this is a supplement If the examiner or examiners find as a fact that such member is physically or mentally incapacitated for the performance of the duties of the employment which he had when last in the actual employ or service of the Commonwealth the examiner or examiners shall certify to the board the nature and degree of such physical or mental incapacity or disability whereupon the board shall classify the applicant as a member with active military service disability and thereupon such member may elect to accept the benefit of the provisions of section eleven of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) as amended or the benefit of section eight of this act or the benefits of the act to which this is a supplement without disability rights and shall be classified by the board as State employe without disability rights Such State employe shall enjoy all the rights incident to membership in the retirement system except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly Such election shall be in writing in form prescribed by the board and shall be filed with the board not later than fifty (50) days after the completion of such active military service

Section 8 Every employe who shall have been engaged in active military service and who shall have returned to State employment or State service without examination or certification as required by section six and seven of this act shall be classified by the board as Pennsylvania [Motor] State Police members without disability rights Such member shall enjoy all rights incident to membership in the system except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster.
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Leonard,
Moran,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 831, as follows:

An Act to amend the title and certain sections of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 660) entitled "An act providing for the return of escaped prisoners and convicts after apprehension to the penitentiary or state institution from which they escape by the agents of the Department of Justice or the Pennsylvania Motor Police and requiring the penitentiary or state institution to defray the expenses thereof" by changing the name Pennsylvania Motor Police to Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 660) entitled "An act providing for the return of escaped prisoners and convicts after apprehension to the penitentiary or state institution from which they escape by the agents of the Department of Justice or the Pennsylvania Motor Police and requiring the penitentiary or state institution to defray the the expenses thereof" is hereby amended to read as follows

An Act providing for the return of escaped prisoners and convicts after apprehension to the penitentiary or state institution from which they escape by the agents of the Department of Justice or the Pennsylvania [Motor] State Police and requiring the penitentiary or state institution to defray the expenses thereof

Section 2 Sections one and two of said act are hereby amended to read as follows

Section 1 In all cases where a prisoner or convict after an escape from a penitentiary or other state correctional institution is apprehended or arrested by any officer having authority to make such arrest the said officer shall notify the penitentiary or state institution from which the escape was made which institution shall notify the Department of Justice or the Pennsylvania [Motor] State Police who shall immediately send an officer or officers to return the prisoner to the penitentiary or state institution

Section 2 All necessary expenses incurred by the officer or officers in returning such prisoner or convict to the penitentiary or state institution shall be borne by the penitentiary or state institution from which the escape was made which expenses shall be refunded to the Department of Justice or the Pennsylvania [Motor] State Police as the case may be whose officer or agent makes such return

Section 2 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Leonard,
Moran,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 833, as follows:

An Act to further amend the title and the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 414) entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania Motor Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties" by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 414) entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania Motor Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties" as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2433) is hereby further amended to read as follows

An Act for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania [Motor] State Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties

Section 2 Sections one two three four five and six of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2433) are hereby further amended to read as follows

Section 1 From and after the passage of this act the Pennsylvania [Motor] State Police shall continue to procure and file for record photographs pictures descriptions finger prints and such other information as may be pertinent of all persons who have been or may hereafter be convicted of crime within this Commonwealth and also of all well-known and habitual criminals wherever they may be procured

Section 2 It shall be the duty of the persons in charge of any State penal institution or of any jail prison or workhouse within this Commonwealth to furnish to the Pennsylvania [Motor] State Police upon request the finger prints photographs and description of any person detained in such institution jail prison or workhouse

Section 3 The Pennsylvania [Motor] State Police the persons in charge of State penal institutions the wardens or keepers of jails prisons and workhouses within this Commonwealth and all police officers within the several political subdivisions of this Commonwealth shall have the authority to take or cause to be taken the fingerprints or phohographs of any person in custody charged with the commission of crime or who they have reason to believe is a fugitive from justice or a habitual criminal and it shall be the duty of the chiefs of bureaus of all cities within this Commonwealth to furnish daily to the Pennsylvania [Motor] State Police copies of the fingerprints and if possible photographs of all persons arrested within their jurisdiction charged with the commission of felony or who they have reason to believe are fugitives from justice or habitual criminals such finger prints to be taken on forms furnished or approved by the Pennsylvania [Motor] State Police It shall be the duty of the Pennsylvania [Motor] State Police immediately upon the [reecipt] receipt of such records to compare them with those already in their files and if they find that any person arrested has a previous criminal record or is a fugitive from justice forthwith to inform the arresting officer or the officer having the prisoner in charge of such fact

Section 4 It shall be the duty of the Pennsylvania [Motor] State Police to cooperate with agencies of other States and of the United States having similar powers to develop and carry on a complete interstate national and international system of criminal identification and investigation and also to furnish upon request any information in its possession concerning any person charged with crime to any court district attorney or police officer of this Commonwealth or of another state or of the United States

Section 5 (a) The district attorneys of the several counties are hereby authorized and empowered from time to time to employ the services of experts on finger prints to assist them in the investigation of pending cases and to testify upon the trial thereof The compensation of any such expert shall be fixed by the district attorney employing him with the approval of the court of quarter sessions and shall be paid from the county treasury upon warrant of the county commissioners in the usual manner

(b) The district attorney of any county the warden or keeper of the county jail or any expert employed by the district attorney or any other person designated by the district attorney shall have the power upon the written order of the district attorney to take the finger prints of any person confined in the county jail of such county for use in the identification of the prisoner or upon his trial

(c) The district attorneys of the several counties shall keep and arrange files of the finger prints taken under the provisions of this act of persons convicted of crime and shall destroy the finger prints of all persons acquitted The files of finger prints maintained by the district attorneys shall be open to the inspection of any other district attorney of this Commonwealth or their representatives or of the Pennsylvania [Motor] State Police or any sheriff or police or peace officer

(d) District attorneys shall not be authorized to take finger prints under this section of persons arrested for misdemeanors unless the district attorneys have reason to believe that such persons are old offenders against the penal laws of this Commonwealth

Section 6 Neglect or refusal of any person mentioned in this act to make the report required herein or to do or perform any other act on his part to be done or performed in connection with the operation of this act shall constitute a misdemeanor and such person shall upon conviction thereof be punished by a fine of not less than five nor more than twenty-five dollars or by imprisonment in the county jail for a period of not exceeding thirty days or both in the discretion of the court Such neglect or refusal shall also constitute malfeasance in office and subject such person to removal from office Any person who removes destroys or mutilates any of the records of the Pennsylvania [Motor] State Police or of any district attorney shall be guilty of a misdemeanor and such person shall upon conviction thereof be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail for a period of not exceeding one year or by both in the discretion of the court

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Leonard,
Moran,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 844, Printer's No. 254, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 889, as follows:

An Act to amend section eight of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by changing the name State Highway Patrolmen to Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" is hereby amended to read as follows

Section 8 Such employes of the Commonwealth as are designated as ["State Highway Patrolmen"] "Pennsylvania State Police" shall aid the Department of Revenue in the enforcement of this act and for this purpose are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth to arrest on view without writ rule order or process any person known to have violated or who is suspected of having violated any of the provisions of this act

Section 2 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Muir,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Leonard,
Moran,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 914, as follows:

An Act to further amend the title and certain sections of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania Motor Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania Motor Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania Motor Police and the enforcement of its orders and prescribing penalties" by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania Motor Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania Motor Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania Motor Police and the enforcement of its orders and prescribing penalties" as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2403) is hereby further amended to read as follows

An Act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania [Motor] State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania [Motor] State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania [Motor] State Police and the enforcement of its orders and prescribing penalties

Sction 2 Sections one two three four five seven nine eleven twelve thirteen and fifteen of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2403) are hereby further amended to read as follows

Section 1 Be it enacted &c That the Commissioner of the Pennsylvania [Motor] State Police may appoint and remove the chief of the fire department of any county city borough town or township where a fire department is established or where no such fire department exists the burgess or constable of any borough or town or constable or the president or chairman of the board of supervisors of any townships as assistants to the department and when so appointed shall be subject to the obligations imposed by this act and to the authority of the Pennsylvania [Motor] State Police

The Commissioner of Pennsylvania [Motor] State Police may also appoint individual citizens as assistants to the Pennsylvania [Motor] State Police who shall be subject to the obligation aforesaid and to the directions of the Pennsylvania [Motor] State Police

The Pennsylvania [Motor] State Police may adopt and enforce rules and regulations governing the having using storage sale and keeping of gasoline naphtha kerosene or other substance of like character blasting powder gunpowder dynamite or any other inflammable or combustible chemical products or substances or materials The Pennsylvania [Motor] State Police may also adopt and enforce rules and regulations requiring the placing of fire-extinguishers in buildings

Section 2 Each of the aforesaid assistants shall inquire into the origin cause and other circumstances of every fire by which any property or life has been destroyed damaged or endangered occurring within the territorial limits of their respective cities boroughs towns or townships and shall make every effort to determine whether such fires were of incendiary origin or the result of design carelessness or accident

Upon the occurrence of any fire such assistant shall report the same to the Pennsylvania [Motor] State Police within five days after its occurrence If the fire appears to the assistant making such inquiry to be of such character and origin as shall require thorough and exhaustive investigation he shall immediately notify the Pennsylvania [Motor] State Police and shall when directed by the Pennsylvania [Motor] State Police assist in the making of such investigation The reports of any such fire shall be made in writing and in the manner and form prescribed by the Pennsylvania [Motor] State Police on the blanks furnished for that purpose Such reports shall in every case contain a statement of (a) All the facts relating to the cause of such fire that can be ascertained (b) the extent of the loss and damage to each property (c) the loss of life and personal injuries caused thereby or resulting therefrom (d) the amount of insurance upon each property destroyed or damaged and (e) such other information as may be required by the Pennsylvania [Motor] State Police

The assistant shall notify the Pennsylvania [Motor] State Police immediately by telephone or telegraphic message of not more than ten words of the occurrence of any incendiary fire

The duties hereinbefore prescribed to be performed by the said assistant may be limited by the Pennsylvania [Motor] State Police so as to reasonably accord with their pre-existing public duties

Any of the aforesaid assistants who shall neglect or refuse to report to the Pennsylvania [Motor] State Police or who shall neglect or refuse to make reports or investigations of fires as provided in this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding fifty dollars or to undergo imprisonment not exceeding thirty days or both

Section 3 The Pennsylvania [Motor] State Police or its assistants upon the complaint of any person or whenever it or they shall deem it necessary shall inspect the buildings and premises within their jurisdiction Whenever any of the said officers shall find any buildings or structures which for want of repairs or by reason of age or dilapidated condition or accumulation of waste rubbish debris explosive or inflammable substance in any buildings or on premises constituting a fire menace or hazard or for any other cause making it especially liable to fire and endangering property and so situated as to endanger other property it or they shall order the same to be removed or remedied if the same is reasonably practicable thereby lessening the danger of fire Whenever such officer shall find in any building combustible or explosive matter or inflammable conditions which are in violation of any law or ordinance applicable thereto or are dangerous to the safety of such buildings thereby endangering other property it or they shall order the same to be removed or remedied and such order shall contain a notice that an appeal therefrom may be taken and shall forthwith be complied with by the owner or occupant of such premises or buildings If such order is made by any assistant to the Pennsylvania [Motor] State Police such owner or occupant may within five days appeal to the Pennsylvania [Motor] State Police which shall within ten days review such order and file its decision thereon and unless by its authority the order is revoked or modified it shall remain in full force and be obeyed by such owner or occupant Any owner or occupant who feels aggrieved by any order of the Pennsylvania [Motor] State Police or by any decision upholding or modifying any order of any of its assistants may within five days after the same has been made or filed by the Pennsylvania [Motor] State Police file his petition with the court of common pleas of the proper county praying a review of such order and it shall be the duty of the court to hear the same at the first convenient day and to make such order in the premises as right and justice may require

The service of any such order shall be made upon the owner or occupant of the premises to whom it is directed by either delivering a true copy of same to such occupant personally or by delivering the same to and leaving it with any person in charge of the premises or in case no such person is found upon the premises by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises Whenever it may be necessary to serve such an order upon the owner of premises such order may be served either by delivering to and leaving with the said person a true copy of the said order or if such owner is absent from the jurisdiction of the officer making the order by mailing such copy to the owner's last known post office address

Any owner or occupant refusing or neglecting to comply with any final order or notice issued by the Pennsylvania [Motor] State Police or under its direction by any inspector or member of the Pennsylvania [Motor] State Police shall upon conviction thereof under summary proceedings instituted before any magistrate alderman or justice of the peace in the county where such violations occur be sentenced to pay a fine of not less than fifty dollars ($50.00) [dollars] nor more than two hundred dollars ($200.00) [dollars] and in default of the payment of such fine and costs to be imprisoned in the county prison one day for each dollar of fine and costs unpaid Upon conviction after hearing the sentences provided in this act shall be imposed and shall be final unless an appeal be taken in the manner prescribed by law

All fines collected under this act shall be paid into the General Fund in the State Treasury through the Department of Revenue

Section 4 The Pennsylvania [Motor] State Police or its assistants in addition to the investigation made by any of the assistants may at any time investigate the origin or circumstances of any fire occurring in this Commonwealth The Pennsylvania [Motor] State Police or its assistants shall have the power to summon witnesses and compel them to attend before them or either of them and to testify in relation to any matter which is by the provisions of this act a subject of inquiry and investigation and may require the production of any books papers or documents deemed pertinent or necessary to the inquiry and shall have the power to administer oaths and affirmations to any person appearing as a witness before them Such examination may be public or private as the officers conducting the investigation may determine

No person shall be excused from attending before the Pennsylvania [Motor] State Police or its assistants when summoned so to attend nor when ordered so to do shall he be excused from testifying or producing any books papers or documents before such Pennsylvania [Motor] State Police upon any investigation proceeding or inquiry instituted under the provisions of this act upon the ground or for the reason that the testimony or the evidence documentary or otherwise required of him may tend to convict him of a crime or subject him to a penalty or forfeiture but no person shall be prosecuted or subjected to a penalty or forfeiture for or on account of any transaction matter or thing concerning which he may have been required so to testify or produce evidence documentary or otherwise and no testimony so given or produced shall be received against him upon any criminal investigation or proceedings If after any such examination the Pennsylvania [Motor] State Police or any of its assistants is of the opinion that the facts in relation to such fire indicate that a crime has been committed it or he shall present the testimony taken on such examination together with any other data in his possession to the district attorney of the proper county with the request that he institute such criminal proceedings as such testimony or data may warrant

The Pennsylvania [Motor] State Police or its assistants may at all reasonable hours enter any building or premises within its or their jurisdiction for the purpose of making an inspection which under the provisions of this act it or they may deem necessary to be made

Section 5 Any witness who refuses to obey a summons of the Pennsylvania [Motor] State Police or its assistants or who refuses to be sworn or to testify or who disobeys any lawful order of the Pennsylvania [Motor] State Police or its assistants in relation to any investigation instituted by it or them or who fails or refuses to produce any books papers or documents touching any matter under investigation or examination or who is guilty of any contempt after being summoned to appear before it or any of them to give testimony in relation to any matter or subject under examination or investigation as aforesaid may be punished as for contempt of court For this purpose application may be made to any court within whose jurisdiction the contempt in question took place and for which purpose the courts of common pleas of this Commonwealth are hereby given jurisdiction

Section 7 It shall be the duty of the Pennsylvania [Motor] State Police to prepare in consultation with the Superintendent of Public Instruction books of instruction for use in the public and private schools of students of all grades with regard to the dangers of fire and the prevention of fire waste It shall be the duty of the Superintendent of Public Instruction and of the principals or other persons in charge of the various schools of this Commonwealth to provide for the instruction and training of pupils of such schools by means of drills so that they may in sudden emergencies be able to leave the school buildings in the shortest possible time without confusion or panic Such drills shall be held at least once a month when the schools are in session Books of instruction with regard to the dangers of fire and the prevention of fire waste as above specified shall be published at the expense of the State under the direction of the Superintendent of Public Instruction and shall be distributed in sufficient quantities for the use of the school as herein provided and the curriculum of such schools shall include some regular and continuous study of such subjects during the entire school year

Section 9 The assistants to the Pennsylvania [Motor] State Police not receiving a salary for the performance of public duties shall receive upon the audit of the Pennsylvania [Motor] State Police fifty cents for each report of each separate fire reported to the Pennsylvania [Motor] State Police under this act and in addition thereto shall be paid the sum of fifteen cents for each mile traveled to the place of fire and in the discretion of the Pennsylvania [Motor] State Police where an investigation has been made a sum not to exceed three dollars ($3.00) [($3) dollars] for each day's service spent in such investigation

Section 11 Every fire insurance corporation or association transacting business in this State shall file with the Pennsylvania [Motor] State Police through an acturial bureauu of any board of fire underwriters or through the secretary or other officer of the insurance corporation or association a monthly report of fire losses showing (a) The name of the insured (b) location of property burned (c) date of the fire (d) the class of occupancy and construction (e) the probable cause of the fire (f) the sound valuation (g) total insurance (h) the total loss paid

Such corporation or association shall also fire through officers an annual report of all fires on which losses have been paid during the preceding calendar year designating the amount of insurance written on such risk by the corporation or association the amount of probable loss the character of the property destroyed or damaged and the supposed cause of the fire

In all cases where such corporation or association receives evidence or information indicating that any fire was of incendiary origin a report of such fire and of such evidence or information shall be immediately communicated to the Pennsylvania [Motor] State Police

The monthly report hereinbefore required shall be made in writing and sent by registered mail to the Pennsylvania [Motor] State Police addressed to its office in the city of Harrisburg on or before the tenth day of each month as to all fires of which notice was received during the preceding month and shall include either in the first or subsequent monthly report the amount of loss as adjusted and actually paid by such corporation or association for on account of or by reason of such loss

The annual report hereinbefore required shall be made to the Pennsylvania [Motor] State Police on or before the first day of May

The notices and reports hereinbefore required by this section shall be in addition to any notices and reports such corporation or association may be required to make under the laws of this Commonwealth to the Insurance Commissioner or to any other State officer

Section 12 Every board association or bureau which now exists or hereafter may be formed for the purpose of suggesting establishing or maintaining rates of fire insurance on property located in this State shall supply to the Pennsylvania [Motor] State Police on request or permit the Pennsylvania [Motor] State Police to copy from its files reasonable data relating to the physical condition of insurable property in this State and relating to physical fire hazards in the various communities thereof

Section 13 Any fire insurance company or association wilfully violating any of the provisions of this act shall be liable to a penalty of two hundred [and] fifty dollars ($250.00) to be recovered at the suit of the Pennsylvania [Motor] State Police as debts of like amount are now by law recoverable and any foreign fire insurance company or association licensed to do business in this Commonwealth wilfully violating any of the provisions of this act shall in addition to incurring said penalty forfeit its rights to continue the transaction of its business in this State

Section 15 That all rules and regulations heretofore promulgated by the State Fire Marshal or by the Department of State Police or the Pennsylvania State Police or the Pennsylvania Motor Police and now in force shall continue in force until modified or abolished by the Pennsylvania [Motor] State Police

All suits actions or proceedings now pending under any act hereby repealed or supplied shall not be affected but shall be continued by the Pennsylvania [Motor] State Police

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—164

Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Croop,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Leonard,
Moran,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 511, as follows:

An Act to further amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and eight of the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625) entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" as amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 840) are hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act shall be construed to have the following meanings

"Board" the county retirement board created by this act

"County Employe" any person whether elected or appointed who is employed by the county by the county institution district or its predecessor the county poor board by the county prison authorized by the county house of detention authorities or by the county retirement system whose salary or compensation is paid in regular periodic installments [No person who is employed on a per diem basis less than two hundred working days per year shall be eligible to membership in the retirement system] but shall not include any person who is employed on a per diem basis

"Fund" the county employes' retirement fund created by this act

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act and standing to the credit of the members' annuity reserve account together with the regular interest thereon

"Contributor" any person who has accumulated deductions in the fund created by this act standing to the credit of the members' annuity reserve account

"Beneficiary" any person in receipt of a retirement allowance under this act

"Prior Service" all service as a county employe served not later than December thirty-first preceding the year the retirement system shall be established in any county

"Original Member" a member who was [at any time a county employe prior to the first Monday of January of the year the retirement system is established in any county] a county employe on the date of establishment of the retirement system in said county

"New Member" a member who shall have become a [county employe subsequent to date the retirement system is established in any county] member of the retirement system after the establishment of the retirement system in said county

"Superannuation Retirement Age" as applied to a contributor means sixty years of age or upwards

"Final Salary" the average annual salary received by contributor for the five years of service immediately preceding retirement or in the event a member has not served five years the total salary received divided by the number of years served

"Regular Interest" interest at the rate of three and one-half per centum compounded annually

"County Annuity" payments for life or during disability derived from contributions made by the county

"Member's Annuity" payments for life or during disability derived from contributions made by the contributor

"Retirement Allowance" the county annunity plus the member's annuity

Section 8 Compulsory Membership Each county officer may and each county employe shall be required to become a member of the retirement system established by this act at such date as may be specified in the resolution establishing the retirement system and thereafter when first becoming a county employe Those becoming members who have been at any time county employes prior to the first Monday of January of the year the retirement system is established shall be known as original members and those becoming members after said date as new members [Provided however That if any person who becomes a county employe subsequent to the first Monday of January of the year the retirement fund was established shall have been at any time theretofore a county employe he shall receive credit for the service prior to incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground, and to underground passageways, gangways, airways, drifts, slopes, shafts overcasts, and stoppings of mining operations

Mr. LICHTENWALTER. Mr. Speaker, I move that the House insist upon its amendments nonconcurred in by Senate..

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 34.

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing that employes on retirement for super-annuation who return to active school service during the present war shall not upon return to retirement receive any smaller allowance than that received prior to return to active school service.

HOUSE BILL No. 114.

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given.

HOUSE BILL No. 230.

An Act to amend section two of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 228) entitled "A supplement to the act approved the eighteenth day of June one thousand nine hundred and twenty-three (P. L. 840) entitled 'An act concerning declaratory judgments and decrees and to make uniform the law relating thereto' prescribing the practice to be pursued in such proceedings" making further provision for the service and return of petitions for declaratory judgments.

HOUSE BILL No. 504.

An Act providing that persons in the armed forces and merchant marine of the United States and its allies may renew licenses or certificates to engage in professions and occupations after discharge from military service.

HOUSE BILL No. 475.

An Act to further amend section twenty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled "An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" by providing that in the case of any spouse on active duty in the armed service of the United States in time of war the affidavit accompanying his or her libel in divorce may be taken within or without the Commonwealth before any officer commissioned in the armed forces of the United States authorized by law to take affidavits and acknowledgments.

With the information that the Senate has passed the same without amendment.

ADJOURNMENT

Mr. STONIER. Mr. Speaker, I move that this House do now adjourn until Monday, April 5, 1943, at 9 p. m.

The motion was agreed to, and (at 4:02 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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Vol. 27. HARRISBURG, PA., MONDAY, APRIL 5, 1943. No. 36.

SENATE

MONDAY, April 5, 1943.

The Senate met at 4:00 o'clock p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D.D., offered the following prayer:

To Thee, O God, whom we believe to be infinite eternal and unchangeable, we who are lacking in all these respects, come and pray that our limited faculties may be increased, and our brief and changeful lives become useful to Thee and beneficial to our fellow-men.

May we consider the time now being given us, and the positions we hold, as God-given opportunities for service. May we seek not our own good but the good of others. In this way contentment lies.

We again thank Thee that our lots have been cast in this favored land—a land of broad rivers, teeming plains and fertile valleys. May the voices of happy people, whose God is the Lord, be soon heard again, without the raucous voices of war or the discord of internal strife.

May those now battling for honor among nations, and for peace at home, know that God is with them and that victory is sure.

In the name of our Supreme Commander, Christ the Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. EDMONDS, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. ZIESENHEIM.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

SENATE BILL No. 36, RECALLED FROM THE GOVERNOR

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 1, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 36, Printer's No. 84, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

SENATE BILL No. 36, PRINTER'S No. 84 REFERRED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 36, Printer's No. 84, returned by the Governor for further consideration, entitled:

An Act to amend section twenty of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health, and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act as amended, by providing for the payment of fees to local registrars of vital statistics by the Commonwealth

be referred to the Committee on Municipal Government.

Mr. CROWE. I second the motion, Mr. President.

It was agreed to.

HOUSE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE SENATE TO SENATE BILL No. 133

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 133, entitled:

An Act to further amend subsection (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one

(P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground, and to underground passageways, gangways, airways, drifts, slopes, shafts, overcasts, and stoppings of mining operation

SENATE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS BY THE HOUSE TO SENATE BILL No. 133

Mr. HEYBURN. Mr. President, I move that the Senate insists upon its non-currence in the amendments made by the House to Senate Bill No. 133, and a conference committee be appointed.

Mr. EALY. I second the motion, Mr. President.

The motion was agreed to.

He also returned to the Senate, Senate Bill No. 213, entitled:

An Act to further amend the third paragraph of section one thousand four hundred and thirteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the provisions for the education of physically and mentally handicapped children

with the information that the House has passed the same without amendments.

AIR RAID INSTRUCTIONS

The Chair cleared his table and laid before the Senate a communication dated March 29, 1943, from the Council of Civilian Defense, which was read as follows:

CAPITOL BUILDINGS GROUP
COUNCIL OF CIVILIAN DEFENSE

March 29, 1943.

Members of State Senate
and House of Representatives:

In view of the fact that it is necessary to extinguish all lights in the Capitol during a blackout on receipt of the Blue Signal (Air Raid Warning), the Capitol Buildings Group Council of Defense deems it inadvisable to attempt to evacuate the members and visitors from the House and Senate Chambers.

Therefore we designate the Chambers of the House of Representatives and also the Senate as Air Raid Shelters for use in both daytime and night air raid or blackout drills.

When the Blue Signal is sounded, the Speaker of the House and the Presiding Officer in the Senate will make the following announcements:

IN DAYTIME

"The signal you have just heard is the 'Blue Signal' indicating the probability of an air raid or an air raid drill.

The Capitol Council of Defense has designated this Chamber as our Air Raid Shelter.

Within the next few minutes, we may hear the 'Red Signal.' If the 'Red Signal' sounds, the doors of the House and Senate will be closed by the Sergeants-at-Arms and their assistants.

This signal will be followed by a second 'Blue Signal' or by a series of 'Red' and 'Blue Signals,' but no one will be allowed to leave the House or Senate until the 'All Clear Signal' has been received and announced."

AT NIGHT

"The signal which you have just heard is the 'Blue Signal' indicating the probability of an air raid or air raid drill. The Capitol Council of Defense has designated this Chamber as our Air Raid Shelter.

In the next few minutes all the lights in the Capitol will be extinguished.

All members and visitors will immediately take their seats and remain there until the 'All Clear Signal' is received and announced at which time the lights will be turned on again."

NOTE: When the necessary blackout materials are installed at the different windows, arrangements will be made whereby lights in both House and Senate will not be extinguished, but it will be necessary for the Sergeants-at-Arms to close the blackout curtains.

The PRESIDENT. Subsequently it is intended to install blackout materials, and when they have been furnished to the Senate Chamber, the lights will not be extinguished, but the blackout curtains will be closed.

If anyone wishes to learn further what the air raid precautions are, a copy of this memorandum will be found at the desk.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President and members of the Senate, this session is about nearing its end, and I would like to call to the attention of the Senate that the Committee on Welfare, Public Assistance and Pensions has a certain bill that I introduced on the fifteenth day of February.

During the last two or three months, we have heard a great deal about school teachers asking for more money, employes on the Hill asking for more money, and various departments asking for more money, and we have a bill in this Chamber now which if passed would increase the salaries of the members of the General Assembly.

My bill, Senate Bill No. 155, refers to old age assistance grants. We have, as most of you know, a Federal law which provides that the Federal Government shall give $20 per month to the aged of this country, providing the states will match that amount. Up until the present time this Commonwealth has not taken advantage of that Federal grant. Opportunities have gone by, which none of us will deny, but nothing has been said of those people who now depend entirely upon old age assistance. The maximum amount that they can obtain in this Commonwealth now is $30; we pay $15, and $15 is paid by the Federal Government.

Mr. President, we have now eleven states that have taken advantage of Federal grants. Only a few days ago in fact, on the tenth day of March, the state of Maryland enacted legislation raising their grant from $30 to $40 a month for the aged of their Commonwealth.

Certainly these persons must be cared for. We all agree that they never again will have the opportunity to go back to the mines or mills or elsewhere, they are dependent entirely upon this grant.

There is no malice in my heart toward anyone here nor toward any member of the Committee; I am only bringing this forth because tomorrow morning this Committee will meet for the first time during this Session and I am trusting they will consider this bill, Senate Bill No. 155, to increase grants from $30 to $40 per month. It will only cost our Commonwealth $5 more and the other $5 we shall receive by virtue of Federal grants.

Mr. President, I have no pride of authorship because my name is on the bill; it makes no difference; I am willing to have this bill co-sponsored with any other member in this Chamber; in fact, I am willing to forget about my measure and have someone else sponsor such a bill.

I am interested in the objective and I do not care what methods are used, and, therefore, I trust tomorrow morning that the Committee on Welfare, Public Assistance and Pensions will consider this measure, and if possible, report it out to this body for action.

PERMISSION TO ADDRESS SENATE

Mr. EDMONDS asked and obtained unanimous consent to address the Senate.

Mr. EDMONDS. Mr. Speaker, may I state to the gentleman from Cambria, Senator Haluska, that if he looks at the list of committee meetings for tomorrow that has been distributed in our post office boxes, he will find that the Committee on Welfare, Public Assistance and Pensions will meet tomorrow at twelve o'clock noon, and if there is a bill of his at that time before that Committee, I feel very sure the Committee will give him ample opportunity to expain it.

I am sorry, Mr. President, there has been a delay, but the delay has been caused in large measure by my ill health.

BILLS INTRODUCED AND REFERRED

Mr. EDMONDS read in his place and presented to the Chair Senate Bill No. 493, entitled:

An Act providing a method of annexation of townships of the second class and parts thereof to cities and boroughs, and regulating the proceedings pertaining thereto.

Which was committed to the Committee on Municipal Government.

Mr. TALLMAN read in his place and presented to the Chair Senate Bill No. 494, entitled:

An Act to amend Article VI of the act, approved the twenty-four day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to throw certain articles upon the land of another and providing penalties.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 495, entitled:

An Act to amend section two hundred one of the act approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenaes by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the Courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by providing for the filling of vacancies in such manner as to provide for representation of milk consumers on the Commission.

Which was committed to the Committee on Agriculture.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 496, entitled:

An Act to further amend section nine of the act, approved the twenty-fifth day of June, one thousand eight hundred eighty-five (P. L. 187), entitled "An act regulating the collection of taxes in the several boroughs and townships of this Commonwealth," authorizing the county commissioners of the respective counties to fix the tax collector's commission for the collection of county taxes in boroughs and townships.

Which was committed to the Committee on County Government.

Mr. FARRELL read in his place and presented to the Chair Senate Bill No. 497, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Navigation Commission of the Delaware River, to secure accommodations ashore for use by said commission in the conduct of the nautical school now located at the Port of Philadelphia; and making an appropriation.

Which was committed to the Committee on State Government.

Mr. THOMAS read in his place and presented to the Chair Senate Bill No. 498, entitled:

An Act creating a commission to make a study and investigation of strip mining; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

Which was committed to the Committee on Mines and Mining.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 499, entitled:

An Act making an appropriation to the Department of Health for use in demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair, Senate Bill No. 500, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia, Pennsylvania, known as the Frankford Arsenal, and ceding jurisdiction to the United States.

Which was committed to the Committee on State Government.

Mr. GELTZ read in his place and presented to the Chair, Senate Bill No. 501, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act," approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 203); and prescribing a limitation period within which such petitions must have been filed.

Which was committed to the Committee on Finance.

Mr. HEYBURN read in his place and presented to the Chair, Senate Bill No. 502, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County.

Which was committed to the Committee on Judiciary Special.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 503, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays, and for the enactment of licensing ordinances and resolutions in accordance therewith.

Which was committed to the Committee on County Government.

Messrs. WOODRING and GOURLEY read in their places and presented to the Chair Senate Bill No. 504, entitled:

An Act to further amend subsection (XII) of section twenty-three of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, anl providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," providing for appeals from action of the Pennsylvania Liquor Control Board in refusing, suspending or revoking special entertainment permits.

Which was committed to the Committee on Law and Order.

They also read in their places and presented to the Chair Senate Bill No. 505, entitled:

An Act to further amend subsection (14) of section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in, connection with and transactions in such beverages by licenses and others; providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees; and imposing penalties," providing for appeals from action of the Pennsylvania Liquor Control Board in refusing, suspending or revoking special entertainment permits.

Which was committed to the Committee on Law and Order.

Messrs. BARR and TALLMAN read in their places and presented to the Chair Senate Bill No. 506, entitled:

An Act to further amend section one thousand thirty-three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles tractors, street cars, trackless trolley omnibuses, bicycles pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operator thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses magistrates, aldermen, justices of the peace, the court and the clerks thereof, owners of vehicles, and garag keepers; providing that records are admissible as evi dence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," extending the provisions of such section for a further period of two years.

Which was committed to the Committee on Highways.

Mr. THOMAS B. WILSON. Mr. President, I intend to present to the Chair a bill, but before doing so I should like to make a brief statement. May I have the privilege of the floor?

The PRESIDENT. Is there objection? The Chair hears none. The gentleman from McKean may proceed.

Mr. THOMAS B. WILSON. Mr. President, I want to say to the members of the Senate that I am about to present a bill which is intended to preserve for the counties the four mills tax which they now obtain on securities.

When the state of Pennsylvania gives up its right to the four mills tax everybody on this floor knows that regardless of what anybody here thinks, the state of Pennsylvania is going out of business of collecting the four mills for itself, so that the counties will have to levy their four mills tax, probably, under the old law. There never was a more disgraceful or inefficient system of taxation than the four mills tax which the counties collect on securities, regardless of what one of the members of the Senate said to me in saying I should sing the Internationale when I spoke of it.

I want to say that there is no fairer bill on the face of this earth than the bill requiring owners of securities to pay four mills to the county and four mills to the State of Pennsylvania.

I am unable to cry when I see people with securties paying eight mills, when I know owners of homes and owners of farms and workmen who work and pay rent are paying 45 mills to 60 mills on real estate and those people with securities are only paying eight mills, and now we are to leave them off with four.

Mr. President, my bill is intended to have the State of Pennsylvania collect the four mills tax that goes to the counties and to retain one-half of one mill to cover its expense, to require the owners of these securities to file with the Commonwealth a statement showing the amount and number and the value of their securities, so that the counties may get this money.

If we do not do this there is no way on earth that the counties can collect their four mills for there is no machinery now which will enable them to get this four mills that they are entitled to under the law.

When the State went into the business of collecting four mills for itself and four mills for the counties, the counties got the jump, because security owners did not dare altogether to cheat the counties, when they were making returns to the State of Pennsylvania showing the securities they owned.

If the State of Pennsylvania collects it, the honest man will pay, as he pays now, and the cheater will have to pay because he will not dare to make a return to the State of Pennsylvania with too much larceny and too much perjury in it,

I do not know, Mr. President, whether this bill will get any place. When I look over the creeping, crawling, smelly things that have been on the Calendar of the Senate of Pennsylvania the last two or three weeks, I wonder whether any bill with any merit would want to associate with the things it will have to associate with on the Calendars we have had for the last several weeks. I still say it.

Mr. President, I want to say that I hope this bill will go to some committee that sometimes meets and to a committee that has a chairman that at least will think it over, because if we collect this four mills tax and if the cheater pays with the honest man, then we will be able, I think, after a while, to reduce the four mills that the county gets to three mills and possibly two mills.

Mr. THOMAS B. WILSON read in his place and presented to the Chair Senate Bill No. 507, entitled:

A Supplement to the act approved the seventeenth day of June, one thousand nine hundred thirteen, (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," providing a method for the collection, by the State Department of Revenue, of the tax imposed by section one of said act for county and city and county purposes, and for compensation to the Commonwealth for such services; conferring powers and imposing duties on certain State and county officers; prescribing penalties; and repealing sections two to sixteen, both inclusive of said act.

Which was committed to the Committee on Finance.

RESOLUTION

FELICITATIONS TO THE HONORABLE LOUIS H. FARRELL

Messrs. KEPHART, TALLMAN, GOURLEY, HALUSKA, THOMAS, BARR and CROWE offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 5, 1943.

Whereas, On the early morn of April 5, 1877, there was born on a farm in the town of Bustleton, a suburban community of the great Commonwealth of Philadelphia, a young old Republican affectionately known by his friends in Philadelphia and his intimates on Capitol Hill as "Uncle Lou"; and

Whereas, Since that date, 66 years ago today, the number of nieces and nephews has increased by the hundreds to the point where he is now known as a true man of the people, by the people and for the people; and

Whereas, His opponent in the recent election can never hope to match his prowess as a family man in the true sense of the word; and

Whereas, Nothing describes this "man of the people" better than those words of Edwin Markham in his poem "The Man of the People":

"The color of the ground was in him, the red earth
The tang and odor of the primal things—
The rectitude and patients of the rocks;
The gladness of the wind that shakes the corn;
The courage of the bird that dares the sea;
The justice of the rain that loves all leaves;

> The pity of the snow that hides all sears;
> The loving-kindness of the wayside well;
> The tolerance and equity of light."

Resolved, Therefore, That we as members of this Senate bow and pay homage to our colleague and esteemed "Uncle," the Honorable Louis H. Farrell of the Eighth Senatorial District, Philadelphia, on this, the occasion of his sixty-sixth birthday.

The PRESIDENT. The Chair wishes to add his felicitations to those of the distinguished Senators whose names appear on the roll as having voted in favor of the adoption of this resolution and wishes to state that Lou Farrell is one of the youngest and ablest Senators he has ever met. He has prepared a speech for us in reply to the resolution.

The Chair recognizes the gentleman from Philadelphia, Senator Farrell.

Mr. FARRELL. Mr. President, I voted "aye on that resolution.

I do not know what I can say, but today does happen to be my birthday and the Philadelphia newspapers made note of it and Senator Kephart and his colleagues over there played a trick on me. I want to say I appreciated it and all the members of the Senate are invited to partake of this beautiful cake, and if they are good boys I may not only break cake with them but I may help them to bend elbows.

PERMISSION TO ADDRESS SENATE

Mr. WADE asked and obtained unanimous consent to address the Senate.

Mr. WADE. Mr. President, I am about to present a resolution and ask its immediate consideration, but as a preface I may say that this resolution simply requests the Insurance Commissioner to make a report on certain companies which are now defunct and which are in the process of liquidation, which report through his office.

RESOLUTION

INSURANCE COMMISSIONER TO SUBMIT REPORT

Messrs. WADE and EDMONDS offered the following resolution which was twice read as follows:

In the Senate, April 5, 1943.

Whereas, The Insurance Commissioner may suspend the business of an insurance company in Pennsylvania when he finds its assets insufficient, or for other reasons; and

Whereas, The Insurance Commissioner has power to take over the business of an insurance company when it is insolvent, or for other reasons, and act as receiver thereof, and liquidate its affairs for the protection of policyholders and creditors; and

Whereas, The law giving the Insurance Commissioner the above powers was passed on May 17th, 1921, and was amended at length on June 22nd, 1931; and

Whereas, During the past decade, a number of insurance companies were taken over by the Commissioners and have been in the process of liquidation for some time; therefore be it

Resolved, That the Senate call upon the Insurance Commissioner for a report and summary of his progress in liquidating each defunct insurance company; and be it further

Resolved, That the Insurance Commissioner be urged to make this data available at the earliest possible moment, preferably within the next week, so that the data will be of maximum value to the Senate.

On the question,

Will the Senate agree to the resolution?

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Cumberland, Mr. Wade.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. SHAPIRO. Is this another Taylor-Wade resolution or is this just a Wade resolution?

Mr. WADE. Mr. President, it is an Edmonds-Wade resolution.

Mr. SHAPIRO. Then, Mr. President, will the gentleman from Cumberland explain the purpose of this resolution for the members of the Senate?

Mr. WADE. I will, Mr. President. This resolution requests the Insurance Commissioner to make a report on companies that are now defunct and which are in the process of liquidation and I think this Senate should know the facts regarding those companies that are in the process of liquidation.

Mr. SHAPIRO. What will we do about it when we get the information?

Mr. WADE. Mr. President, let us get the information first and then determine what we should do with it, depending on the quality and quantity of the information.

Mr. SHAPIRO. What I am trying to get the gentleman from Cumberland to state, Mr. President, for my information, is the purpose of this resolution so that I may know how to vote. If we are just asking for this information to clutter up our records that is one thing. If we are asking for information for an avowed purpose I would like to know what it is, in addition to which I do not think it wise for this body to ask for a great deal of information that may or may not be semi-private, to be printed in the journals of this body, and it strikes me there might be some information that should not be made public. I do not know, Mr. President, therefore, I should like to know what is the ultimate objective of this resolution.

Mr. WADE. The ultimate objective, Mr. President, is to get this information from the Insurance Department and I am sure other members of the Senate, as well as the gentleman from Philadelphia, Senator Shapiro, will be interested in this information.

Mr. SHAPIRO. May I suggest, Mr. President, that the Banking Department has under liquidation a great many closed banks and I have yet to see a resolution on this Senate floor asking for the Banking Department to give us all the information concerning those closed banks.

I understand the purpose of this resolution is to get information. I can see no purpose in getting this information, unless we have an objective, and I have not yet heard the objective.

Mr. WADE. Mr. President, we are privileged in this Senate to have as its Presiding Officer a former Banking Commissioner and on any questions concerning closed banks we know we can go directly to him. However, we are not so privileged to have the same information concerning insurance companies.

Mr. SHAPIRO. May I say on this resolution that I am serious in the statement that it may not be wise to have all of the information in the possession of the Insurance Department concerning closed insurance companies spread on the minutes of the Journal of this body.

as we may be doing something which we may subsequently regret.

There are in government certain matters which must be kept confidential. I know in the Banking Act there is a specific provision with respect to information which it has in its possession. A report about these insurance companies may affect existing institutions. I doubt the wisdom of this resolution.

RESOLUTION LAID ON THE TABLE

Mr. HALUSKA. Mr. President, I move that the resolution be laid on the table.

Mr. WOODRING. Mr. President, I second the motion.

It was agreed to.

RESOLUTION

PROHIBITING MORE THAN TWO SUCCESSIVE TERMS AS PRESIDENT OF THE UNITED STATES

Mr. CROWE offered the following resolution which was twice read as follows; and asked its immediate adoption.

In the Senate, April 5, 1943.

Whereas, George Washington, the first President of the United States, established the tradition that a President should not serve for more than two terms, which was maintained for 140 years; and

Whereas, The great liberal, Thomas Jefferson, considered Washington's precedent of such great importance under a democratic government that he refused to be elected for a third term, and Andrew Jackson, leaving the presidency more popular than when he entered, and other presidents adhered to this tradition; and

Whereas, Any President's serving more than two terms weakens the legislative branch and creates a subservient judiciary, thereby impairing the constitutional plan and framework of the Federal Government, the three branches of which were intended to be independent; and

Whereas, The result of anyone holding the high office for more than eight years is that a powerful group of confidants, administrators and bureaucrats may grow more and more irresponsible to this country's electorate; and

Whereas, At this time when democracy is being challenged all over the world, it well behooves us to return to this tradition; and

Whereas, When the same President serves for more than a decade, many of the younger citizens, such as those who are now fighting and dying to preserve our ideals, become unfamiliar with the merits of the system and tradition under which there is periodically a change in the presidency of our country; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly of this Commonwealth hereby memorializes the Congress of the United States to propose an amendment to the Federal Constitution prohibiting any person thereafter from serving more than two successive terms as President of the United States; and be it further

Resolved, That copies of this resolution be transmitted by the Secretary of the Senate to the presiding officers of each House of Congress and to each United States Senator and Congressman from Pennsylvania.

On the question,

Will the Senate agree to the resolution.

MOTION THAT RESOLUTION BE LAID ON TABLE

Mr. WOODWARD. Mr. President, in the Committee of Federal Relations there is a similar and much shorter resolution and in view of that fact, and also that action by resolution is not of much account anyway, I move that this resolution be amended so that it will be laid on the table.

Mr. DENT. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. There is now before the Senate a request for immediate adoption of the resolution.

Mr. WOODWARD. Mr. President, I say this is a poor way of doing a good thing, perhaps, and that we had better wait for this report from this Committee.

Therefore I move that the resolution be laid on the table.

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Philadelphia will state his point of order.

Mr. SHAPIRO. Mr. President, a motion to lay on the table always takes precedence. I raise the question whether or not there need be an amendment.

RULING BY THE CHAIR

The PRESIDENT. The Chair sustains the point of order of the gentleman from Philadelphia, Senator Shapiro.

Mr. SHAPIRO. Mr. President, I was going to make a long declaration about this resolution, but I now want to make one suggestion; I suggest that we all get together and fight the enemy instead of fighting Roosevelt.

On the question recurring.

Will the Senate agree to the motion.

It was agreed to.

The PRESIDENT. The motion is carried and the resolution is laid on the table.

TIME OF NEXT MEETING

Mr. COX, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 5, 1943.

Resolved (if the House of Representatives concur) That when the Senate adjourns this week it reconvene on Monday evening, April 12, 1943, at four o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, April 12, 1943, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 1, and April 5, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 1, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Robert J. Forsyth, McCandless Twp., R. D. 1, Allison Park.

LACKAWANNA COUNTY

Harry J. Atno, Carbondale.

YORK COUNTY

Samuel E. Miller, Hanover.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 1, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John Duggan, 216 City-County Building, Pittsburgh, for appointment as a Notary Public in and for the City of Pittsburgh, Allegheny County, for the term of four years to compute from April 2, 1943.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

YORK COUNTY

Mrs. Chloe M. Smith, York. April 9, 1943.

ALLEGHENY COUNTY

F. N. Riffle, Pittsburgh, Scully Shop, Penna. R. R. Co., April 12, 1943.

Albert F. Yunker, Stowe Twp., 515 Marwood Ave., McKees Rocks, April 12, 1943.

PHILADELPHIA COUNTY

Samuel E. Weiner, Phila., 2311 S. 5th St., April 14, 1943.

James H. Bell, Phila., 1815 Land Title Bldg., April 16, 1943.

LACKWANNA COUNTY

Harry C. Hubler, Scranton, April 16, 1943.

PHILADELPHIA COUNTY

Miss Catharine M. Stely, Phila., 2232 Fidelity-Phila. Trust Bldg., 123 S. Broad St., April 21, 1943.

Clarence B. Wrigley, Phila., 950 Real Estate Trust Bldg., April 22, 1943.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with lay, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

PHILADELPHIA COUNTY

Robert Armstrong, Jr., Phila., 1514 S. 53d St., April 16, 1943.

BEAVER COUNTY

James H. Carson, Beaver Falls, April 19, 1943.

John Hedish, Jr., Midland, April 19, 1943.

J. C. Potts, Midland, April 19, 1943.

DELAWARE COUNTY

Clyde H. Chalfant, Upper Darby Twp., Oak Lane Ave. and P. R. R., Primos, April 19, 1943.

ERIE COUNTY

Archibald B. Harris, Erie, April 19, 1943.

LUZERNE COUNTY

Morris R. Davis, Warrior Run, April 19, 1943.

PHILADELPHIA COUNTY

Miss Emma Goldman, Phila., 1528 Walnut Street Bldg., April 19, 1943.

James G. Neill, Phila., 2536 Memphis St., April 19, 1943.

BEAVER COUNTY

J. E. Stauffer, Ambridge, April 20, 1943.

DAUPHIN COUNTY

Paul M. Barmont, Harrisburg, April 20, 1943.

DELAWARE COUNTY

Joseph Zeitzeff, Chester, April 20, 1943.

LYCOMING COUNTY

Kurt R. Cloud, Jersey Shore, April 20, 1943.

SOMERSET COUNTY

Miss Marian E. Albright, Somerset Twp., R. D. 1, Somerset, April 20, 1943.

PHILADELPHIA COUNTY

E. J. Elliott, Phila., 117 S. Broad St., April 21, 1943.

WESTMORELAND COUNTY

R. R. Whenry, Jeannette, April 21, 1943.

ALLEGHENY COUNTY

George B. Herwick, McKeesport, April 22, 1943.

M. G. Wolff, Pittsburgh, 339 Sixth Ave., April 22, 1943.

CAMBRIA COUNTY

Mrs. L. Margaret Wilkinson, Ebensburg, April 22, 1943.

MERCER COUNTY

Miss Madeline M. Brosie, Sharon, April 22, 1943.

PHILADELPHIA COUNTY

Miss Frances K. McGlynn, Phila., Alden Park, Wissahickon and Chelten Ave., April 22, 1943.

WESTMORELAND COUNTY

Miss Edna Durst, Greensburg, April 22, 1943.

EDWARD MARTIN.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, April 5, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Robert S. Stewart, Jr., Pittsburgh, 801 Chamber of Commerce Bldg.

DELAWARE COUNTY

Miss Edna L. Lewis, Norwood.

ERIE COUNTY

Matthew F. McCarthy, Erie.

LAWRENCE COUNTY

Carl O. Person, Ellwood City.

MONTGOMERY COUNTY

Edmund Hill, Lower Merion Twp., Ardmore.

PHILADELPHIA COUNTY

Mervin J. Brenner, Phila., 1418 Packard Bldg.
Harry Bristow, Phila., 4605 N. Front St.
Jacob Feldman, Phila., 2115 South St.
Emanuel Kline, Phila., 255 S. 5th St.
Jack J. Leyenaar, Phila., 109 Sigel St.
Louis J. McGrath, Phila., 5256 Horrock St.
Mrs. Emma L. Roten, Phila., 355 E. Wister St., Germantown.

WESTMORELAND COUNTY

W. Aber McGeary, Vandergrift.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 5, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Ira W. Boyle, Pittsburgh, Frick Bldg.
Miss Agnes M. Clinton, Pittsburgh, 600 Grant St.
Ellsworth W. Hoffman, Jr., Pittsburgh, Westinghouse Electric and Mfg. Co., Union Bank Bldg.
Nick Levitske, Snowden Twp., Box 314, Library.
Louis Stenibach, Pittsburgh, Washington Realty Co., 615 Berger Bldg.
James G. Wilhelm, Pittsburgh, 111 Pius St.

CARBON COUNTY

Albert C. Roat, Mauch Chunk.

DAUPHIN COUNTY

Mrs. Jennie B. Brugnoni, Harrisburg.

DELAWARE COUNTY

Miss Rachel C. Rowles, Chester.

FAYETTE COUNTY

Miss Betty Martin, Connellsville.

LUZERNE COUNTY

Robert J. Wright, West Hazleton.

McKEAN COUNTY

Mrs. Grace H. Snapp, Mount Jewett.

MONTGOMERY COUNTY

Miss Elva I. Cressman, Norristown.
Miss Pauline M. Spahr, Norristown.

NORTHAMPTON COUNTY

Mrs. Marie Uhler, Bethlehem.

PHILADELPHIA COUNTY

Benjamin Butler, Phila., 1010 W. Dakota St.
John F. Conway, Phila., 1037 N. Delaware Ave.
Floyd T. Doherty, Phila., 5423 Irving St.
Mrs. Dorothy D. Farson, Phila., Public Ledger Bldg., 6th and Chestnut Sts.
Miss Hazel C. Godshall, Phila., 3717 Filbert St.
Joseph Greenfield, Phila., 102 N. 63d St.
Howard C. Mayer, Phila., 3330 Glenview St.
James W. McCully, Phila., 2515 Girard Ave.
Miss Elizabeth C. Plunkett, Phila., 1518-20 Parrish St.
Charles H. Ulery, Phila., 908 Real Estate Trust Bldg., S. E. Cor. Broad and Chestnut Sts.

SCHUYLKILL COUNTY

Joseph Ball, McAdoo.

VENANGO COUNTY

Mrs. Mary Weikal, Polk.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 301, entitled:

An Act to amend section one hundred four clause (a) of section two hundred five clause (a) of section two hundred twelve section four hundred three section five hundred five and to add clause (d) to section five hundred two of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" clarifying and correcting the provisions of said sections and providing for the funding of debts represented by judgments entered by courts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred four clause (a) of section two hundred five clause (a) of section two hundred twelve section four hundred three section five hundred five of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligations bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" are hereby amended to read as follows

Section 104 Purpose of Act It is the intent of this act to regulate the manner of borrowing money by the issue of bonds by municipalities and to impose limits and conditions on such borrowing in certain cases [Nothing in this act shall be construed to confer on any municipality any power or authority to borrow money for any purpose for which such municipality is not otherwise authorized by law to borrow money nor shall anything in this act be construed to deprive any municipality of any power or authority to borrow money for any purpose for which such municipality is or may hereafter be authorized to borrow money] Nothing in this act shall be construed to enlarge or curtain the purposes for which any municipality may now or hereafter be authorized to borrow money This act shall be deemed to provide an exclusive and uniform system on the subjects covered by this act

Section 205 Desire Ordinance Elections to Authorize an Increase of Indebtedness (a) Whenever the corporate authorities of any municipality by their ordinance shall have signified a desire to make an increase of debt where the assent of the electors is required and shall have called an election for the purpose of obtaining such assent they shall give notice of an election to be held at the places of holding elections in said municipality on a day to be by them fixed for the purpose of obtaining the assent of the electors thereof to such increase of debt Such notice shall be given in a newspaper or newspapers of general circulation not exceeding two published in said municipality and in the legal journal if any designated by the rules of court for the publication of legal notices and advertisements and if no such newspaper is published therein the notice shall be given in at least one newspaper of general circulation circulating generally in the municipality [Such election notice shall be published three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication and in the case of weekly newspapers of general circulation and legal journals shall be published only twice once a week for two successive weeks] In case such election notice is published in a daily newspaper or newspapers it shall be published three times at intervals of not less than three days and in the case of weekly newspapers and legal journals it shall be published only twice once a week for two successive weeks The first publication of such notice shall be not less than fourteen nor more than twenty-one days before the day of the election Such notice may be published at any time after the ordinance shall have become effective

Section 212 Regulations for Sale of General Obligation Bonds (a) When any municipality shall desire to borrow money and issue general obligation bonds therefor the municipality shall sell such bonds to the highest responsible bidder or bidders after public notice by advertisement in at least one and not more than two newspapers of general circulation published in the county in which such municipality shall be situated and in the legal journal if any designated by the rules of court for the publication of legal notices and advertisements [Such notice shall be published three times at intervals of not less than three days where daily newspapers of general circulation are available for such publication and in the case of weekly newspapers and legal journals shall be published only twice once a week for two successive weeks] In case such notice is published in a daily newspaper or newspapers it shall be published three times at intervals of not less than three days and in the case of weekly newspapers and legal journals it shall be published only twice once a week for two successive weeks The first advertisement shall be published not less than fifteen days before the day fixed for the opening of bids

Section 403 Use of Money in Sinking Fund Investment The money or other assets in the sinking fund shall be applied to the payment of any taxes covenanted to be paid on the general obligation bonds for the payment of which such fund was created to the payment of interest on such bonds and to the payment of the principal of such bonds at their maturity Any moneys in the sinking fund not needed for the time being for any of the above purposes may be invested in obligations issued by the United States of America and general obligation bonds of the Commonwealth of Pennsylvania or any political subdivision thereof The moneys and other assets held in the sinking fund shall not be used for any other purpose except for such other investment purposes as may be specifically authorized by law

Any investments including bonds of the municipality held in the sinking fund may be sold at any time by the body board or commission having the management and control of such sinking fund

Nothing contained in this section shall be construed to require the sale of any obligations bonds or notes legally held in a sinking fund at the time this act takes effect

Section 505 Sale or Exchange of Funding and Refunding Bonds Except in the case of refunding general obligation bonds issued to redeem bonds which the holders are willing to surrender any municipality shall first offer funding or refunding general obligation bonds for sale in accordance with the provisions of section [214] 212 of this act and if no bids are received for the same any such municipality shall be authorized to exchange such bonds with the debtors in the case of bonds issued to fund floating indebtedness and with the holders of the outstanding bonds in the case of bonds issued to redeem and pay off such outstanding bonds when such debt is to be funded or when such outstanding bonds are to be redeemed and paid off as the case may be The maximum rate of interest of the bonds to be exchanged shall not be in excess of the maximum rate of interest borne by the bonds previously offered for sale In the case of bonds issued to redeem bonds which the holders are willing to surrender the municipality shall have the option to offer said bonds for sale or to exchange said bonds with the holders of the outstanding bonds without previously having offered the same for sale

For services in procuring the exchange or surrender of bonds or other evidences of debt a municipality may expend not to exceed one per centum of the debt so funded or refunded in addition to its actual expenses in the preparation and issue of such funding or refunding bonds

Section 2 Section five hundred two of said act is hereby amended by adding thereto a new clause to read as follows

Section 502 Funding Bonds Conditions

* * * * * * *

(d) If the unfunded debt which is to be funded under the provisions of this section is represented by a judgment or judgments entered by a court of competent jurisdiction the municipality shall not be required to obtain the consent of the court of quarter sessions nor submit the question of the ratification confirmation or validation of the debt represented thereby to the electors thereof General obligation bonds issued to fund any such judgment or judgments shall bear interest at a rate not exceeding six per centum in addition to any taxes payment of which may be assumed by the municipality and shall mature not later than twenty years from the date thereof

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Edmonds,
Farrell,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Taylor,
Thomas,
Watkins,
Wilson, H. I.,
Woodward,

NAYS—6

Ealy,
Shapiro,
Stiefel,
Walker,
Wilson, T. B.,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 17, on third reading, entitled:

An Act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board, and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

REQUEST THAT BILL GO OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 18, on third reading, entitled:

An Act relating to parole; abolishing the Pennsylvania Board of Parole; reestablishing the jurisdiction, powers and duties of the courts and of the Board of Pardons with respect to parole; and authorizing the employment by the Attorney General of a Supervisor of Paroles and field agents

go over in its order.

The PRESIDENT. Is there objection?

Mr. SHAPIRO. I should like to suggest to the members of the Senate that Senate Bill No. 18 ought to be disposed of. From the experience of the past few weeks and what I saw last week, particularly in Philadelphia, I want to suggest to the members of the Senate in all seriousness that the delay on this bill is causing a great deal of trouble in the city of Philadelphia and elsewhere. The Parole Board, the Probation Department in Philadelphia, does not know whether it is going to continue to function or how many cases it will have to function with. The State Parole Board does not know whether it is going to continue to function and the result is that in Philadelphia alone there is chaos. Mr. Hackney, of the Parole Division in Philadelphia, whom I have known a great many years, is receiving a great leal of unjustified criticism and is going to get more unless we finally and promptly dispose of this proposition. One way or another it ought to be disposed of and I hope the request that this bill go over in its order does not mean that this matter will not be disposed of today.

Mr. SHAPIRO. Mr. President, may I interrogate the gentleman from Delaware, Senator Heyburn.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. SHAPIRO. Mr. President, will the gentleman from Delaware state whether his motion that this bill go over in its order means that it will not be acted upon today?

Mr. HEYBURN. Yes, Mr. President, it does.

Mr. SHAPIRO. Does the gentleman from Delaware know when it is proposed to act on this bill?

Mr. HEYBURN. Mr. President, this bill is too important to rush through and some members of the Senate have requested more time to study it.

The Senator from Philadelphia knows that as well as I do and I think probably there is just a little political skirmishing going on.

Mr. SHAPIRO. I ask for an answer, Mr. President. I was not skirmishing, I was making a suggestion. When the gentleman from Delaware now says that this statement of mine was political, he is just talking thin air. This bill has been studied for over a month by every member of this Senate and this bill has been on our third reading Calendar over two weeks. Half a dozen important bills have gone through this Senate in the last few weeks within two or three days. Senate Bill No. 402, on second reading today, was not in committee more than two days.

Mr. President, I say that this bill has been on the Calendar for more than three weeks and everybody has studied this bill. People have speeches prepared on this bill both for and against it.

Mr. President, the statement by the gentleman from Delaware that the remark of mine was political loses sight of the fact that the newspapers all over the State have been full of criticism against the members of this body for dilly-dallying with this important proposition. I therefore object to the bill going over in order.

Mr. HEYBURN. Mr. President, I am going to move that this bill go over in its order, but first I want to say the newspapers of the Commonwealth have been criticizing absenteeism in this body and I regret to say this very much, but one of the worst offenders here is the Senator from Philadelphia, as the record will show.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 18 go over in its order.

Mr. WADE. I second the motion, Mr. President.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. SHAPIRO. Mr. President, a charge has been made that I am an offender on the ground of absenteeism. I might suggest to the gentleman on the other side that it would not have made much difference if all of us were absent, from the character of legislation that has been on the Calendar thus far, and nobody knows that better than the gentleman from Delaware, Senator Heyburn.

The only important legislation that has come up has been postponed time and time again. The gentleman from Delaware has moved time and time again that Senate Bill No. 177 go over in its order, that Senate Bill No. 18 go over in its order, that Senate Bill No. 311 go over in its order, the only three important pieces of legislation that have been on our Calendar have gone over in order time and time again, for only one reason—and I make this as a specific charge—they did not have enough votes to pass them.

Mr. JASPAN. Mr. President, I introduced Senate Bill No. 18 and I feel that it is very good legislation, irrespective of what the gentleman from Philadelphia, Senator Shapiro, feels about this bill. I believe after I have talked on this matter, as well as other Senators, that the bill will go through, whether it be a Republican or a Democratic measure.

From the very outset, starting back in 1939, and probably I will say in 1941, this was considered a non-partisan measure and passed the Senate. Nine Democrats voted against the bill, seven voted for it.

In 1942, when Governor James asked to postpone the effective date on this particular bill there were many who voted for and many who voted against, and today this is a non-partisan bill and if any particular person seeks to inject politics into this bill, for the purpose of diverting attention from the real issues of the bill, let him be honest, and when this bill comes up for third reading and final passage I will try to convince this Senate that it is an honest-to-goodness bill and not prompted by any party, whether it be Republican or Democratic, and I hope that it will go through for the benefit of the people of the State of Pennsylvania, the prisoners, the convicts, the parolees and otherwise. Thank you.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 60, entitled:

An Act to further amend sections two thousand six hundred twenty and two thousand six hundred twenty-five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the filing of copies of auditors' reports in school districts of the third and fourth classes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand six hundred twenty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 243) is hereby further amended to read as follows

Section 2620 In every school district of the second and third classes the proper auditors herein provided to audit the finances of the school district shall begin their duties on the first Monday in July each year and promptly within thirty days audit the accounts of the school district for which they were appointed including the accounts of the treasurer the school depositories and other school funds for the preceding fiscal year in the manner herein provided On the completion of the audit they shall make [a correct duplicate report] correct copies thereof which shall contain an itemized statement of all receipts expenditures and credits whatsoever of school officials and the assets and liabilities of the district one copy to be filed with the board of school directors of the district [and the other] one copy in the court of common pleas to the number and term in which their appointment was made and except in school districts of the third class under the supervision of the County Superintendent of Schools one copy in the Department of Public Instruction by mailing the same sealed stamped and addressed to the Superintendent of Public Instruction Harrisburg Pennsylvania by registered mail with return registry receipt requested In districts of the third class under the supervision of the County Superintendent of Schools two copies shall be transmitted to the County Superintendent who shall forward one of such copies to the Superintendent of Public Instruction Harrisburg Pennsylvania

Section 2 Section two thousand six hundred twenty-five of said act as last amended by the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1152) is hereby further amended to read as follows

Section 2625 In every school district of the fourth class in this Commonwealth the proper auditors herein provided to audit the finances of the school district shall meet annually with the board of school directors on the first Monday of July at the time of organization or within five days thereafter and within thirty days carefully audit and adjust the financial accounts of the school district for the preceding school year Provided That the meeting of the auditors with the board of school directors shall not be held on the Fourth of July At the completion of the audit they shall make a careful statement in duplicate of the finances of the district for the preceding year setting forth the assets and liabilities and an itemized statement of all receipts expenditures and credits whatsoever of all school officials and including therein any sums that have been charged against any person or persons one copy of which annual statement shall be filed by such auditors with the secretary of the board of school directors and one in the court of common pleas of the county in which such district or the greater or greatest part thereof in area shall be located and a summary thereof including the assets and liabilities of the school district shall be published in the newspaper having general circulation in the district once a week for three successive weeks beginning the first week after filing the same or be promptly posted by not less than six copies in as many places in the district The auditors shall also file [one copy] two copies of their report with the County Superintendent of Schools who shall forward one of such copies to the Department of Public Instruction [by mailing the same sealed stamped and addressed to the Superintendent of Public Instruction Harrisburg Pennsylvania by registered mail with return registry receipt requested]

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 71, entitled:

A Joint Resolution proposing an amendment to section four, article two of the Constitution of the Commonwealth of Pennsylvania, providing for annual sessions of the General Assembly, salary of members and an annual budget.

On the question,

Will the Senate agree to the bill?

Mr. WOODWARD. Mr. President, this Senate Bill of mine, No. 71, has been an active member of the Amalgamated Order of Acrobats, and has gone over and over and over several times.

Now, however, it is up for final passage and I would like to make two or three little remarks. In the first place, Mr. President, you can vote easily for this joint resolution because this is its first session and if you want to change your minds you can vote against it at the next session.

In the second place, New York and New Jersey have annual sessions and, as you may have noticed, they have both shut up shop and gone home for the season, because they have annual sessions.

The third argument is that if you have read the budget of Governor Martin you will find down at the bottom of page five this statement, where he speaks of one of the greatest uncertainties being expected revenues, and that is because they have written the budget for two years.

Mr. President, one reason that this joint resolution had to go over in order was because of my acquaintance with Mr. Abbott Low Moffat, Chairman, Ways and Means Committee, of the Assembly of the State of New York. I wrote to him and asked him if he would kindly write me a letter which would pass this bill, which he has done. I can not read it all as it is too long, but I will read two paragraphs:

"Furthermore, in projecting budgets for a two year period, both the Executive and the Legislature are at a particular handicap in estimating revenues and in estimating the actual needs of the state. As a result, I am sure that if we had a biennial session both branches of the State government would tend to make larger allowances for possible contingencies. When such contingencies failed to arise but the money was available, the inevitable result would be the unnecessary expenditure of moneys.

"Perhaps more fundamental yet is my profound belief in the importance of the legislative branch of government in American democracy. From time to time, Legislatures fall into disrepute and certainly most Legislators are permanent butts for the carcicaturist. Nevertheless, it is through the Legislature that representative democracy functions and, for all their shortcomings, Legislatures are ultimately the guardians of our rights."

Mr. President, that quotation is from a letter from the Chairman of the Ways and Means Committee of the General Assembly of the State of New York, and, as I have said before, they have finished their business. They have a budget of just under $400,000,000, which is the same as we have for two years—that is just a matter of interest.

I hope, therefore, that each Senator who is doubtful will vote "aye," because at the next session he can vote "no" if he wishes.

Mr. HALUSKA. Mr. President, I am not opposed to this measure, in fact I propose to vote for it, but the title of the bill reads "A Joint Resolution Proposing an Amendment to Section four, article two of the Constitution of the Commonwealth of Pennsylvania, providing for annual sessions of the General Assembly, salary of members and annual budget."

Mr. President, the wording of this bill does not correspond with the title because I have found no place in the bill providing for an annual budget.

I am wondering if that is a mistake or if an amendment might be in order.

BILLS OVER IN ORDER

Mr. WOODWARD. Mr. President, I ask unanimous consent that Senate Bill No. 71, on third reading, go over in its order.

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, if the gentleman will read the first five lines of his bill, page 2, he will find that the budget is provided for.

Mr. WOODWARD. Thank you.

The PRESIDENT. Does the gentleman from Philadelphia press his request that the bill go over in its order.

Mr. WOODWARD. Under all the circumstances I do, yes, Mr. President.

It was agreed to.

Mr. STEVENSON. Mr. President, I ask unanimous consent that Senate Bill No. 99, on third reading, entitled:

A Joint Resolution proposing an amendment to Section one of article Fourteen, of the Constitution of the Commonwealth of Pennsylvania, by making sheriffs eligible to succeed themselves

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 105, entitled:

An Act to reenact and amend the title of and the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2611) entitled "An act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions" extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of and the entire act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2611) entitled "An act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions" are hereby reenacted and amended to read as follows

An Act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes [and] municipal claims and judgments held thereby and penalties interest and cost due thereon against claims and accounts due by such political subdivisions and providing a procedure therefor

Section 1 Be it enacted et cetera That the word "person" as used in this act shall be construed to include any individual association copartnership and corporation

The term "delinquent taxes and municipal claims" as used in this act shall include all delinquent taxes and municipal claims whether or not liens for such taxes or claims have been filed in the office of the prothonotary of the county and shall include also all penalties interest and costs due on such delinquent taxes and municipal claims

The term "political subdivision" as used in this act means county city other than city of the first class borough town township poor district institution district and school district within the Commonwealth

Section 2 Every political subdivision before approving or paying the claim or account of any person against such political subdivision shall have power to inquire of the receiver of taxes of the political subdivision whether such person is indebted to it for or on account of any delinquent taxes or municipal claims In any case where it shall be found that such person is so indebted to the political subdivision or when such person is indebted to the political subdivision for any sum of money which debt shall have been reduced to judgment in favor of such political subdivision the approval and payment of such claim or account in whole or in part shall be withheld by the officer or employe authorized by law to make such approval or payment until such person shall have entered into an agreement with the political subdivision as hereinafter provided

Section 3 The political subdivision shall have power to enter into such agreements as it may deem necessary to assure the payment of delinquent taxes and municipal claims and unpaid judgments interest and costs thereon by persons having claims or accounts against the political subdivision including therein provision for the application of moneys due by the political subdivision on any such claim or account to the payment of such delinquent taxes [and] municipal claims and unpaid judgments interest and costs and the satisfaction of such taxes [and] municipal claims and judgments interest and costs on the public records in whole or in part If any person shall upon demand of the political subdivision refuse to enter into any such agreement the officer or employe of the political subdivision authorized to approve or pay such accounts shall continue to further withhold his approval or payment of such claim or account against the political subdivision or any part thereof and advise such person that the political subdivision has a set-off against his claim or account or the part thereof not approved or paid for delinquent taxes [and] municipal claims or a judgment or judgments held against such person and the interest and costs thereon and that payment thereof will be refused until such delinquent taxes [and] municipal claims or judgments with the interest and costs thereon are paid or provision for their payment made

Section 4 If any person who is indebted to the political subdivision on account of delinquent taxes municipal claims or judgment as aforesaid and who has a claim or account against such political subdivision shall upon demand of the political subdivision refuse neglect or fail to enter into an agreement as hereinbefore provided such political subdivision may petition the court of common pleas of the county setting forth the facts of the case and asking for a rule to show cause why a decree should not be made that the amount of such delinquent taxes municipal claim or judgment owing to the political subdivision be set-off against the claim or account which such person has against the political subdivision or against the proceeds of any judgment secured thereon Thereupon the court shall grant a rule against all parties interested to appear and show cause why such a decree should not be made The rule shall be returnable in not less than ninety (90) days from the date the petition was presented If during such period prior to the return of such rule the said person having such claim or account against the political subdivision shall enter into an agreement therewith satisfactory to the political subdivision the said proceedings upon notice given to the said court shall terminate

Section 5 If upon hearing the court is satisfied that service of the rule has been made upon the parties interested and that the facts stated in the petition are true it shall order and decree that the amount of delinquent taxes municipal claims and judgments owing to the said political subdivision by the said person having a claim or account against such political subdivision shall be set-off against such claim or account and against the proceeds of any judgment secured thereon The court shall in its order determine by whom the costs of the proceedings shall be paid

Section [4] 6 All acts and parts of acts inconsistent with this [act] reenactment and amendment are hereby repealed

Section [5] 7 This [act] reenactment and amendment shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECONSIDERATION OF SENATE BILL NO. 131

Mr. MALLERY. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 131, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing for the issuing of free resident fishing licenses to persons over sixty-five years of age.

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. MALLERY. Mr. President, I voted "aye".

Mr. HOMSHER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HOMSHER. Mr. President, I voted "aye".

The motion was agreed to.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. MALLERY offered the following amendments:

Amend Sec. 1 (Sec. 220), page 2, lines 26 to 29, by striking out the following: "over the age of sixty-five years" in line 26, and all of lines 27, 28 and 29; Amend Sec. 1 (Sec. 220), page 3, lines 1 and 2. by striking out both of said lines, and inserting in lieu thereof: "seventy years of age or over shall, upon the presentation of such proof of age as may be required by the Department of Revenue, and upon the payment of the sum of fifty cents (50c) to that department, or to the issuing agent, for the use of the Commonwealth to cover the costs of issuance, and in the event that the license is issued by an issuing agent the amount of ten cents (10c) for the use of the issuing agent, be entitled to a lifelong free "resident fishing license."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. MALLERY offered the following amendments?

Amend title, page 1, line 8 of title, by inserting after the word "of" the following: "lifelong"; Amend title, page 1, line 9 of title, by striking out the words "over sixty-five" and inserting in lieu thereof: "seventy"; Amend title, page 1, line 9 of title, by inserting after the word "age" the following: "or over".

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 138, entitled:

An Act to further amend section seven of the act approved the second day of May one thousand eight hundred eighty-nine (P. L. 66) entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" by providing that any number of items paid into or deposited in the custody or under the control of any court of the United States in and for any district within this Commonwealth or in the custody of any depository registry or of any receiver clerk or other officer of any of said courts may be joined in one petition of escheat

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven of the act approved the second day of May one thousand eight hundred eighty-nine (P. L. 66) entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" as amended by the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 281) is hereby further amended to read as follows

Section 7 That whensoever any escheator shall be duly commissioned by the Auditor General of and concerning any property real or personal escheated or supposed to have escheated to the Commonwealth under the provisions of this act he shall apply by petition to the court having jurisdiction in the premises to hear and determine whether an escheat has occurred or not and shall in his petition set forth the facts of his appointment and the nature and character of the alleged escheat and shall also state as far as he conveniently can the location character and amount of the property real and personal alleged to have escheated together with the name and address of the person or persons having the same in his or their possession whereupon the said court shall have power to issue a summons or citation directed to any administrator or executor trustee depository of the court receiver or other officer of the court to show cause if any they have why they should not file a true and accurate account of all and singular the said property alleged to have escheated as aforesaid and if upon sufficient proof by oath or affirmation of the service of said summons or citation no good and valid cause be shown to the contrary the said court shall proceed to direct said administrator or executor trustee depository of the court receiver or other officer of the court to file his said account And in all cases where any real estate has escheated or is supposed to have escheated by reason of the death of the person last seized thereof without heirs or known kindred the said court shall have power to order the administrator or executor of said person to file a true and accurate statement of all the real estate whereof said decedent died seized describing the same by metes and bounds together with the buildings and improvements thereon erected as far as he has been able to ascertain the same And whensoever it shall appear by the account of any executor or administrator or any receiver or other officer of the court or of any trustee or other person in a fiduciary capacity or upon the audit of any such account that the said receiver or other officer trustee or other person has in his possession or has any knowledge of the existence of any real estate which shall have escheated or is supposed to have escheated to the Commonwealth the said court shall have power to order and direct the said administrator or executor receiver or other officer trustee or other person filing an account as aforesaid to file a true and accurate statement of all said real estate describing the same as aforesaid so far as he has been or shall be able to ascertain the same and any and all accounts and statements filed under the provisions of this act shall be verified by oath or affirmation in the customary manner And whensoever any escheator shall have been commissioned by the Department of Revenue of and concerning any moneys estate or effects which have been or shall hereafter be paid into or deposited in the custody or be under the control of any court of the United States in and for any district within this Commonwealth or shall be in the custody of any depository registry or of any receiver clerk or other officer of any such court of the United States he may join in one petition of escheat any number of items of such money estate or effects though held for different persons or in different proceedings in such court of the United States

Section 2 This act shall become effective immediately and shall apply to all proceedings now pending as well as hereafter instituted

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 142, entitled?

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon providing for and imposing powers and duties upon a Capitol Park Extension Commission conferring powers and duties upon the Department of Property and Supplies and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Governor shall appoint three citizens of this Commonwealth none of whom shall be directly or indirectly interested in any of the property to be acquired as hereinafter provided for who shall constitute a commission to be known as the Capitol Park Extension Commission which commission shall exist as long as may be necessary for the performance of the work authorized by this act Any vacancy occurring in the membership of this commission shall be filled by an appointment by the Governor The members of said commission shall serve without compensation but shall be entitled to receive their traveling and other expenses actually incurred in the discharge of their duties

Section 2 Said commission is hereby authorized and empowered to select and appoint one person to be known as secretary of the Capitol Park Extension Commission one clerk one stenographer one attorney at law and one real estate expert all of whom shall do such work as the commissoin shall direct to accomplish the purposes set forth in this act and said commission shall fix the respective compensations of the persons so appointed which compensation shall be paid through the Department of Property and Supplies from the funds appropriated by this act

Section 3 The duty of said commission shall be to review all valuations estimates title searches and other proceedings in connection with the proposed acquisition of property as hereinafter provided and to approve of such proposed proceedings and acquisitions only after said commission is satisfied that the interests of the Commonwealth are properly protected and in case of proposed purchases that the proposed purchase price represents a fair valuation of the property under consideration The commission shall keep a full and accurate record of all its proceedings properly indexed and open to the inspection of the public

Section 4 The Department of Property and Supplies is hereby directed with the approval of the Governor to acquire in the name of the Commonwealth by purchase gift or at the exercise of the right of eminent domain in the manner prescribed by the Administrative Code of one thousand nine hundred twenty-nine and the amendments thereto all lands buildings streets and alleys situate within the following described boundaries to provide for the extension of Capitol Park in the City of Harrisburg said area being bounded as follows On the west by the eastern line of Third Street on the north by the southern line of Forster Street on the east by the western line of property of the Pennsylvania Railroad Company and on the south by the northern line of the present Capitol Park Provided however That no property shall actually be taken by the Department until all proceedings land valuations estimates title searches and other proceedings relating to the proposed acquisition of said property shall have been reviewed by the Capitol Park Extension Commission and the proposed acquisition of said property shall have been approved by said commission and provided further That no property shall actually be taken by the Department until the City of Harrisburg shall by proper municipal action release to the Commonwealth any claim which it might have by reason of any action taken under the authority of this act and shall file said release with a certified copy of the proceedings under which it was given with the Department of Property and Supplies And provided further That before such property shall actually be taken the Department of Property and Supplies with the approval of the Governor shall agree with the City of Harrisburg as to the vacation of existing streets and alleys in said area and the widening and improvement of streets and avenues in and bordering on the lands to be acquired

Section 5 When any liens exist upon any estate or interest so acquired the same shall be paid and satisfied out of the purchase money or damages In case said purchase money or damages shall be insufficient to pay said liens or any dispute shall arise as to the validity of any such liens or the amount due thereon the Department of Property and Supplies shall present a petition to the court of common pleas of Dauphin County for permission to pay the amount due for such acquisition into court and after proper order of court shall pay the amount of such purchase money or damages into said court to be distributed among the parties entitled thereto in the same manner as moneys paid into court upon sheriffs' sales are distributed Upon such payment into court of such purchase money or damages said liens shall be extinguished and the court shall direct satisfaction of said liens to be entered of record

Section 6 The Department of Property and Supplies shall cause to be kept a full fair and accurate record of all its proceedings properly indexed and open to the inspection of the public Copies of all records documents and papers when duly certified by the department shall be received in evidence in the courts of the Commonwealth in all cases where the original records documents or papers would be admitted in evidence Provided however That in any judicial controversy before any court either party may have the original records documents or papers produced on the service of proper process for that purpose

Section 7 The demolition of existing structures within the extension area the grading terracing and redevelopment of said area shall be considered as a post-war public works project to assist in absorbing possible unemployment in the period following the end of the war After acquisition of properties within the area and before the redevelopment of the area the Department of Property and Supplies is authorized to utilize said land and structures for the purposes of the Commonwealth or to lease them to suitable tenants under conditions not inconsistent with the purposes of this act Funds received by the Department of Property and Supplies through such leases shall be deposited with the State Treasurer and shall be considered as a supplement to the appropriation provided by this act being available for expenditure by the Department of Property and Supplies for the purpose of this act

Section 8 The sum of three million dollars ($3,000,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for carrying on the work of the Department authorized under this act and for the payment of the lands and buildings acquired as aforesaid and for costs and expenses in connection therewith and for costs and expenses in connection with the maintenance and repair of properties within the extension area prior to the redevelopment of the area Provided however That of the amount so appropriated not more than five hundred thousand dollars ($500,000) shall be spent in any fiscal year unless in the opinion of the Governor an acceleration of the land purchase program is desirable so that the redevelopment of this area may be correctly timed as a postwar public works project and unless the Budget Secretary shall certify that there is sufficient money in the State Treasury not otherwise appropriated to warrant an increase in the annual expenditure to an amount not exceeding the total appropriation made by this act

Section 9 This act shall take effect immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—2

Chapman,
Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 146 on third reading, entitled:

An Act to further amend clause one of section three and section twelve of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further extending the time for present employes as defined in the act to elect to be covered by the retirement system and granting retirement rights to certain additional persons who have withdrawn from and returned to school service

be recommitted to the Committee on Education.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

Mr. CARR. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT. The gentleman from Butler will be so recorded.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 165, entitled:

An Act to amend section six hundred seven and to further amend section seven hundred one of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by authorizing the appointment of certified public accountants for the purpose of auditing the accounts of the Auditor General and requiring the Auditor General to submit all books records and papers to such accountants

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred seven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 607 Fiscal Year All books and accounts kept by the Auditor General the State Treasurer and every department board and commission shall be kept as of the fiscal year which shall be the period beginning on the first day of June of each calendar year and ending on the thirty-first day of May of the calendar year next succeeding

The Auditor General and the Department of the Auditor General shall submit to any accountants appointed by the Governor for the purpose of making an audit of the expenditures made by the Auditor General and the Department of the Auditor General for any purpose whatsoever all books papers and records in any way pertaining to such expenditures

Section 2 Section seven hundred one of said act as last amended by the act approved the twenty-third day of April one thousand nine hundred and forty-one (P. L. 21) is hereby further amended by adding after clause (j) thereof the following clause to read as follows

Section 701 The Governor The Governor shall have the power and it shall be his duty

(a) To take care that the laws of the Commonwealth shall be faithfully executed

(b) To act as Commander-in-Chief of the Army and Navy of the Commonwealth and of the Militia except when they shall be called into active service by the United States Government

(c) To cause to be published through the Department of Property and Supplies from time to time for the information of the public bulletins of the work of the State Government

(d) To prescribe and require the installation of a uniform system or systems of bookkeeping accounting and reporting for the several administrative departments boards and commissions except for the Department of the Auditor General the Treasury Department and the Department of Internal Affairs but before prescribing and requiring such installation the Governor shall consult with the Department of the Auditor General

(e) To prescribe forms for accounts and financial records reports and statements for the several administrative departments boards and commissions except the Department of the Auditor General the Treasury Department and the Department of Internal Affairs but before prescribing such forms the Governor shall consult with the Department of the Auditor General

(f) To approve or disapprove all investments by departments boards or commissions of funds administered by such departments boards or commissions

(g) To submit to the General Assembly a State budget

(h) After each biennial appropriation to the Department of Property and Supplies (1) for the purchase of stationery paper printing binding ruling lithographing color printing engraving paper envelopes and other printing and binding supplies (2) for fuel supplies furniture furnishing repairs alterations and improvements (3) for automobiles and (4) for rentals of branch offices after making proper deductions for the needs of the legislativ and judicial departments to allocate and from time to tim to reallocate to the several administrative department boards and commissions such portions of such appropriations as will fairly represent the needs of the department boards and commissions for the biennium taking into consideration the right of any such department board o commission to pay its necessary expenses or purchas furniture materials or supplies out of fees or other money received by or moneys specifically appropriated to it

Every administrative department board or commissio shall be limited in its right to make requisition upo the Department of Property and Supplies to the amoun allocated to it unless the Governor shall subsequentl permit the Department of Property and Supplies to hono requisitions in excess of such amount

(i) To do all other acts make all appointments fill al vacancies exercise all the powers vested in him an perform all the duties imposed upon him as provided an required by the Constitution and laws of this Commonwealth

(j) To grant to pilots engaged in the aeronautical wor of the Department of Revenue commission of such grade as the Governor may prescribe.

(k) To appoint such competent certified public accountants as may be necessary to make an annual audit of th accounts of all expenditures by the Auditor General an the Department of the Auditor General

And said bill having been read at length the thir time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. I understand, of course, Mr. Presiden that no amount of talk would change a vote on this bil However, I just want to remind you that when th Auditor General's office was set up, it was set up fo the specific purpose of being the auditor for all the various departments of the State Government, and the onl thing that the Auditor General spends the money appropriated to him by the Legislature is for the purpose o administering his own official duties. The law now covering this situation is that no Auditor General may succeed himself. I think that is ample protection for th people of Pennsylvania in the matter of moneys bein spent by the Auditor General.

However, we all know that since the present Audito General was a candidate for Governor, it has been popular pastime to take pot shots at him ever since th General Assembly convened in January. This is nothing more or less than a piece of special legislation aime at a person and not the office. This is nothing but underhanded manner of criticising the Auditor Genera If his expenditures have not been right, and if th moneys have not been honestly spent, then the Committee on Appropriations should not have approved an given to the Senate a bill to make up a deficiency appropriation.

You men on the other side can pass this bill—you hav the votes—but I say that it is a mean advantage th you are taking of an individual who tried in an Amer can way to become Governor of the State of Pennsy vania.

Mr. WOODWARD. Mr. President, I am not taking "pot shot" at Auditor General Ross. I am supporting th bill because I think that everybody that handles publ money ought to be audited, and this is not a new thin When Mr. Lewis was Auditor General, the Governor di this very thing and his books were all thrown open to

C.P.A.; I do not know whether it has been done with other Auditors General or not.

I am willing to stand here and say I think the very best Auditor General we ever had was a Democrat, Warren H. Roberts; I think his report was the best Auditor General's report ever submitted.

As far as I am concerned, this is not a partisan measure, in fact, I regret that it seems to be aimed at a Democratic Auditor General, which is not my intention at all.

Mr. BARR. Mr. President, I do not think the gentleman from Philadelphia, Senator Woodward, is being very consistent. I remember two years ago, when the gentleman from Philadelphia, Senator Woodward, returned from the Bahamas, after being there February and March—Mr. Ross at that time was State Treasurer—and the gentleman from Philadelphia, Senator Woodward, would not write a check to Mr. Ross to give that money back, due to the fact that Mr. Ross was a Democrat.

Mr. SHAPIRO. Mr. President, the present Auditor General's accounts were audited last year by certified public accountants appointed by the Governor. Previous Auditor General's accounts, when it has been necessary, when they wanted to, were always audited without any objection by the Governor, by the employment of certified public accountants.

It seems a strange piece of legislation that you have Auditor's accounts audited. In other words you are appointing a watchman to watch the watchman, and it strikes me that that kind of legislation seems to be peculiar to Pennsylvania, as I do not know of any other state where the Auditor is audited by legislative enactment.

I want to take advantage of this opportunity to say that I listened to the Governor of Pennsylvania when he retired as Governor, right before he retired, make certain what I think were specific charges against Mr. Ross. I made up my mind then—and now say publicly—if any of the charges were proven, I would have been very willing to vote to unseat Mr. Ross, but instead of finding anything done about this matter, I find that the matter is laid on our table and on our desks, like a lot of other things that lie around here without action. This is an important action; it is an important charge, and nothing has been done. On the contrary, Mr. President, find a statement made by the Governor that Mr. Ross would come in and ask for more money, to which he was not entitled, because he had illegally spent a great deal of money, and that was followed by a deficiency bill put in on behalf of Mr. Ross for $180,000 deficiency and we passed only last week a deficiency approriation or $175,000.

It strikes me that is quite an inconsistent procedure. You do not hand a man $175,000 if he has been guilty of misappropriating a great deal of money during his erm; you do not make charges against a public official and then forget all about them, because that destroys he confidence of the public in public officials, and in iew of that fact I can only view this bill as a bill to udit the accounts of Mr. Ross because he happens to be Mr. Ross and because he happens to be a Democrat.

Mr. BARR. Mr. President, in my opinion the bill we assed last week for a deficiency appropriation for Mr. oss was not a deficiency appropriation, it was a figure hat the House and Senate passed two years ago, and we all know that the Governor has the power to cut appropriations but not to raise them, and due to the fact that the House and the Senate had cut the appropriation to the Department of Commerce some, Governor James at that time—I do not like to use the word spiteful—but just to get even with the Democratic House, I would presume that was his point, he cut the appropriation in the amount of $179,000.

Mr. HEYBURN. Mr. President, I am afraid my colleagues are unnecessarily alarmed over this bill. This bill merely provides that the Governor may appoint auditors necessary to make an audit.

There is no attempt here particularly to get at Mr. Ross. It is true an appropriation was given him and if it is determined that Mr. Ross has not judiciously expended some of this money he can be audited, but I do not say he has.

I do say, however, that an audit, even if it is made, would never hurt an honest man. I cannot see any reason for all this confusion about this bill now before us.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—16

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 177, on third reading, entitled:

An Act to amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (one thousand nine hundred thirty-seven, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for the payment of contributions by employers in accordance with an experience rating system; and providing for and regulating such experience rating system and the terms and procedure to effectuate the same.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 193, on third reading, entitled:

An Act to amend Section six hundred fifty-one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate amend and revise the penal laws of the Commonwealth," permitting persons under the age of eighteen years to be present in bowling alleys

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 207, entitled:

An Act providing for commissioning as police officers certain employes of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing duties on wardens and keepers of jails police stations and lock-ups

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The head of each administrative department having under its jurisdiction any penal reformatory or correctional institution mental hospital or any institution for feeble-minded or epileptic persons for inebriates or for juvenile delinquents and defectives or any medical and surgical hospital for crippled children sanitorium or any charitable institution whatsoever within this Commonwealth maintained in whole or in part by the Commonwealth and whose boards of inspectors managers trustees or directors are appointed by the Governor shall certify to the Governor the names of employes of such institutions to act as police officer thereat If the Governor shall approve the persons designated he shall issue to each a commission under which each employe shall have and exercise full power to make arrests without warrant for all violations of law which they may witness upon any part of the premises of the institution at which they are employed and to serve and execute warrants issued by the proper local authorities for any violation of law committed thereon and to arrest with or without warrant anywhere within this Commonwealth any inmate of such institution that may have escaped therefrom and to return him or her thereto For such purposes and generally on the premises of the institution at which they are employed the persons so commissioned shall have all the powers and prerogatives conferred by law upon constables of the Commonwealth

Section 2 It shall be the duty of the warden of every county jail and the keeper of every city borough town or township police station or lock-up to receive every person arrested by any employe of an institution so commissioned by the Governor under the authority hereby conferred and to detain him or her until discharged by proper authority in accordance with law

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" th
question was determined in the affirmative.

Ordered, That the Clerk present said bill to the Hous
of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BECKER. Mr. President, I ask unanimous con
sent that Senate Bill No. 211, on third reading, entitled

An Act to further amend section nine hundred eight
subsection A of section one thousand six and subsectio
A of section one thousand twelve and subsection B o
section one thousand and one hundred nine of the act, ap
proved the fifteenth day of May, one thousand nine hun
dred and thirty-three (P. L. 624), entitled "An act relat
ing to the business of banking, and to the exercise of fidu
ciary powers by corporations; providing for the organiza
tion of corporations with fiduciary powers, and of bankin
corporations, with or without fiduciary powers, includin
the conversion of National banks into State banks, an
for the licensing of private bankers; defining the right
powers, duties, liabilities, and immunities of such cor
porations, of existent corporations authorized to engag
in a banking business, with or without fiduciary power
of private bankers, and of the officers, directors, trustee
shareholders, attorneys, and other employes of all suc
corporations or private bankers, or of affiliated corpora
tions, associations, or persons; restricting the exercise c
banking powers by any other corporation, association, o
person, and of fiduciary powers by any other corporatio
conferring powers and imposing duties upon the court
prothonotaries, recorders of deeds, and certain State de
partments, commissions, and officers; imposing penaltie
and repealing certain acts and parts of acts," further reg
ulating the amount and maintenance of reserve funds b
banks and banks and trust companies; and authorizin
certain loans by banks and banks and trust companie
which are guaranteed against loss by certain Federa
agencies, and investments in second liens in cases an
under conditions herein specified and further providin
for the powers and limitations upon powers of corpora
tions with fiduciary powers

go over in its order.

The PRESIDENT. Is there objection? The Chair hea
none.

HOUSE BILL No. 232 PLACED ON POSTPONED CALENDAR

Mr. KEPHART. Mr. President, I move that Hous
Bill No. 232, Printer's No. 43, entitled:

An Act to amend section one of the act, approved th
thirteenth day of May one thousand nine hundred twent
seven (P. L. 982) entitled "An act relating to the cle
of the court of oyer and terminer and quarter sessions
the peace and municipal court of any county of this Com
monwealth having a population of one million five hu
dred thousand or over providing for the salaries and com

ensation of the clerk of the court of oyer and terminer nd quarter sessions of the peace and municipal court eputies clerks and employes thereof" by changing titles f various deputies clerks and employes and equalizing alaries thereof

e placed on the postponed Calendar.

Mr. DEITRICK. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 238, entitled:

An Act to amend sections four and six of, and to add ection 7.1 to, the act, approved the tenth day of July, ne thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; uthorizing the establishment of county mosquito extermination commissions, after popular referendum, and ne appointment of their members by the county commissioners; prescribing the powers and duties of such ommissioners," providing that the Secretary of Agriculture cooperate with, and be a member ex-officio of, the ounty mosquito extermination commissions; prescribing owers and duties of the Secretary of Agriculture and id commissions; providing that costs of abating nuisances from breeding of mosquito larvae may be assessed gainst lands where breeding exists; and providing that id acts shall not apply to counties of the first class.

On the question,

Will the Senate agree to the bill on third reading?

Mr. DENT. Mr. President, I ask unanimous consent offer amendments at this time.

The PRESIDENT. Is there objection. The Chair ears none.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 21, by striking out the ord "[survey]" and inserting in lieu thereof the word urveys"; Amend the act by inserting at the end thereof llowing page 5, line 10, a new section as follows: ection 3 The provisions of this act shall become effective immediately upon final enactment."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as nended?

It was agreed to.

dered, That the bill as amended lie over for printing final passage.

Mr. DENT. Mr. President, by way of explanation, may say that the amendment only changes the word urvey" to read "surveys."

Agreeably to order,

The Senate proceeded to the third reading and con-leration of Senate Bill No. 239, entitled:

Act to amend sections one and two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 641) entitled "An act providing for the eradication of mosquitoes authorizing the establishment of county mosquito extermination commissions after popular referendum and the appointment of their members by the county commissioners prescribing the powers and duties of such commissions" by providing for abolition of existing mosquito extermination commissions after popular referendum

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 641) entitled "An act providing for the eradication of mosquitoes authorizing the establishment of county mosquito extermination commissions after popular referendum and the appointment of their members by the county commissioners prescribing the powers and duties of such commissions" are hereby amended to read as follows

Section 1 Be it enacted Et Cetera That whenever citizens of a county equal in number to at least ten per centum of the highest vote cast for any office at the last preceding general or municipal election shall petition the county commissioners for the establishment of a county mosquito extermination commission or for the abolishment of an existing county mosquito extermination commission the county commissioners shall at the next general municipal primary or special election occurring more than thirty days after the filing of such petition submit to the voters of the county the question whether or not a mosquito extermination commission shall be established in the county or whether or not the existing mosquito extermination commission in the county shall be abolished as the case may be Such question shall be printed on the ballot or ballot labels in the form provided by the general election laws for the submission of such questions The vote on such question shall be counted returned and computed in the manner prescribed by the general election laws

Section 2 If a majority of the voters voting upon such question shall vote in favor of the establishment of such commission the county commissioners shall within thirty days thereafter appoint a mosquito extermination commission for such county consisting of five members The members first appointed shall hold office for terms of one two three four and five years respectively as specified in their certificates of appointment Annually thereafter the county commissioners shall appoint one member of such commission to serve for a term of five years Vacancies in the membership of such commission shall be filled by the county commissioners for the unexpired term The members of such commission shall serve without compensation No person employed by such commission shall be a member thereof The commission shall annually choose a chairman from among its members

Where the question is whether or not an existing mosquito extermination commission shall be abolished if a majority of the voters voting upon the question shall vote in favor of the abolishment thereof the county commissioners shall within thirty days thereafter dismiss from further employment the members of the existing mosquito extermination commission and all the employes thereof

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,

Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones.

Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,

Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. McGINNIS. Mr. President, I ask unanimous consent that Senate Bill No. 267, on third reading, entitled:

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped

go over in its order.

The PRESIDENT. Is there objection?

Mr. JASPAN. Mr. President, the Minority Floor Leader, the gentleman from Allegheny, Senator McGinnis, asked that this bill go over in order, on my account. I will now ask him to withdraw his request and have the bill proceed to third reading and final passage.

I have had an understanding with the author of the bill that if there is any real or serious objection to the bill, we would pass it here, and have the proper branch of government make the proper amendment.

REQUEST WITHDRAWN

Mr. McGINNIS. Mr. President, I withdraw my request that this bill go over in order.

Mr. JASPAN. Mr. President, this bill is now on third reading and final passage and if there is no objection, I should like the Senate to proceed to act on this bill. The author of the bill has agreed that if it is necessary to make amendments they can be made to the bill in the House.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 267, entitled:

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The State Reporter is authorized to waive any provisions of any presently existing contracts requiring the volume of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped Provided That such waiver shall be on terms which the State Reporter shall in his sole discretion determine are advantageous to he State and to the public

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 268, on third reading, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363), entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic weak-minded person presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 290, on third reading, entitled:

An Act to amend sections one and seven of the act approved the twenty-first day of July one thousand nine hundred forty-one (P. L. 425) entitled "An act to establish a system uniform throughout the Commonwealth for the compensation of witnesses regulating the amount payment and taxation as costs thereof and repealing inconsistent legislation" further regulating the payment of witnesses and the taxation thereof as costs of the proceedings

be recommitted to the Committee on Judiciary General.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 294, on third reading, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by specifically exmpting from county personal property tax liability, cer-ain shares of stock in foreign insurance companies liable a tax on their gross premiums under section twenty-our of the act, approved the first day of June, one thou-and eight hundred and eighty-nine (P. L. 420), as mended

o over in its order.

The PRESIDENT. Is there objection? The Chair hears one.

Agreeably to order,

The Senate proceeded to the third reading and con-deration of Senate Bill No. 311, entitled:

An Act relating to appointments, reclassifications and romotions under any civil service system of this Com-onwealth, since March sixteenth, one thousand nine undred forty-two, until a period after the cessation of ostilities; making such appointments of war duration; roviding for examinations at the end of such period; bolishing the State Civil Service Commission during such eriod; providing for the appointment of members at the nd thereof conferring powers and imposing duties on the uperintendent of Public Instruction; suspending in-onsistent laws; and prohibiting the establishment of ivil service systems by rule or regulation for a limited eriod.

On the question,

Will the Senate agree to the bill on third reading?

UNANIMOUS CONSENT REQUESTED TO OFFER AMENDMENTS

Mr. WADE. Mr. President, I ask unanimous consent to ffer amendments to Senate Bill No. 311.

The PRESIDENT. Is there objection?

Mr. COX. Mr. Persident, I would appreciate it if the entleman from Cumberland, Senator Wade, would with-raw his request for unanimous consent to introduce mendments, and permit this bill to go over in its order ntil tomorrow, as I also would like to introduce some nendments to this bill and I certainly do not want them conflict with the intentions of the gentleman from umberland.

Therefore, if the gentleman from Cumberland will be urteous enough to do that I will be very happy to onfer with him after today's session and compare our rospective amendments.

Mr. WADE. May I suggest, Mr. President, that this ll go over in its order for the time being, until later in e day, during which time the Senator from Allegheny, r. Cox, and myself, will compare our amendments.

Mr. COX. The only difficulty with the suggestion of e gentleman from Cumberland, Mr. President, is the ct that we have a very heavy Calendar today and there e a lot of bills that I am sure the gentleman from umberland is as much interested in as I am, and we n not very well compare these very voluminous amend-ents which I have, and from all indications the amend-ents of the gentleman from Cumberland are very vol-ninous, and at the same time pay attention to the lendar.

BILLS OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent at Senate Bill No. 311, on third reading, go over in its der, for the time being.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 314, on third reading, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by changing the provisions for supervisors of special education in counties employing fewer than five hundred and fifty teachers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 320, entitled:

An Act to amend the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" further providing for the position of the enacting clause and the construction of provisos prescribing the effect of amendments on limitations and periods of time and further defining the phrase "political subdivision"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three and fifty-four of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" are hereby amended to read as follows

Section 3 Style and Position of Enacting Clause All laws shall begin in the following style "The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows"

Such enacting clause shall be placed immediately after the preamble or the table of contents of the law or if there be [no] neither preamble nor table of contents then immediately after the title

Section 54 Construction of Titles Preambles Provisos Exceptions and Headings The title and preamble of a law may be considered in the construction thereof [Provisos shall be construed to limit rather than to extend the operation of the clauses to which they refer] Exceptions expressed in a law shall be construed to exclude all others The headings prefixed to chapters articles sections and other divisions of a law shall not be considered to control but may be used to aid in the construction thereof

Provisos shall be construed to except something from the enacting clause or to qualify or restrain its generality or to exclude some possible ground of misinterpretation and not to enlarge or extend the enacting clause A proviso shall be deemed to apply only to the clause or provision immediately preceding it unless it is clear that it was intended to apply to some more remote preceding matter or to a subsequent matter Provisos shall be strictly construed and have no existence apart from the provision which they are designed to limit or qualify

Section 2 Article five of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 78 Effect of Amendment on Limitations etc Whenever a limitation or period of time prescribed in any law for acquiring a right or barring a remedy or for any other purpose has begun to run before a law amending such law takes effect and the same or any other limitation or period of time is prescribed in the amending law the time which has already run shall be deemed part of the time prescribed as such limitation or period of time in such amendment

Section 3 Clause eighty-eight of section one hundred one of said act is hereby amended to read as follows

Section 101 Definitions The following words and phrases when used in any law hereafter enacted unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

* * * * *

(88) "Political subdivision" any county city borough incorporated town township school district [and poor district] vocational school district and county institution district

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senator having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 341, on third reading, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax and prescribing penalties," by further extending the exemptions from the tax imposed by the said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 346, entitled:

An Act suspending for the duration of the present national emergency and for six months thereafter the statutory provisions as to advertising and competitive bidding on contracts of counties institution districts cities and boroughs for the purchase of goods materials and merchandise which are rationed or on which a maximum price ceiling has been fixed under regulations of the Federal Government and providing for the award of contracts in such cases to the lowest and best bidder after due inquiry

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 During the period of national emergency proclaimed by the President and arising out of the existence of a state of war between the United States of America and certain other governments and for a six-month period thereafter the statutory provisions as to advertising and competitive bidding on contracts of counties institution districts cities and boroughs are hereby suspended in the following cases

(a) If the goods materials or merchandise to be purchased are rationed under regulations of the Federal Government

(b) If a maximum price ceiling has been fixed under regulations of the Federal Government for the goods materials and merchandise to be purchased

Section 2 In all such cases the board of county commissioners of the county or the executive and administrative officers of the institution district or the council of the city or borough shall find as a fact that the goods materials or merchandise to be purchased by the county the institutoin district the city or the boroughs fall under one or both of the categories listed in Section 1 The board of commissioners or the executive and administrative officers of the institution district the city council or the borough council shall after such finding direct inquiries to be made among those persons firms or corporations who customarily bid on the same or similar items and also among any additional persons firms or corporations who have indicated in writing their desire to be notified of opportunities to bid on the type of goods materials or merchandise to be purchased by the board the institution district the city or the borough and after inquiry shall award the contract to the person firm or corporation found to be the lowest and best bidder In all cities of the several classes and in all counties having a controller no contract shall be awarded or purchase made by the board of commissioners or by the executive and administrative officers of the institution district or by the council of the cities of the several classes under the provisions of this act until the controller shall have approved the purpose of the expenditure and the award of the contract to the lowest and best bidder

Section 3 All acts or parts of acts inconsistent herewith are hereby suspended for the period during which this act shall be in effect

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 351, on third reading, entitled:

> An Act to further amend section one thousand two hundred sixteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for sabbatical leaves of absence for employes of State teachers colleges and the Cheyney Training School for Teachers.

be recommitted to the Committee on Education.

Mr. HENRY I. WILSON. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on third reading, entitled:

> An Act regulating commercial strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, including issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 388, on third reading, entitled:

> An Act to amend sections three and four of and to add section 6.1 to the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties, cities, boroughs and incorporated towns.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 388, on third reading, entitled:

> An Act to amend section four hundred and twenty A of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulations and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by giving minors of the age of eighteen years and upwards full power and authority to make contracts of insurance or annuity with any life insurance company authorized to do business in the Commonwealth of Pennsylvania and to exercise all the powers rights and privileges of ownership conferred on them under the terms of any and all such contracts applied for or issued to them regardless of whether such contracts were issued before or after such minors reached the age of eighteen years with the same force and effect as if they were of age.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER. Mr. President, with the consent of the co-sponsor I ask unanimous consent that Senate Bill No. 389, on third reading, entitled:

> An Act to amend clause (g) of section three of, and to add section fourteen and one-tenth to, the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 404, on third reading, entitled:

An Act to amend section one of the act, approved the twenty-fourth day of April, one thousand nine hundred thirty-one (P. L. 48), entitled "An act requiring the recording of certain written agreements pertaining to real property, and prescribing the effect thereof as to subsequent purchasers, mortgages, and judgment creditors of the parties thereto," requiring that written agreements pertaining to real property be acknowledged by the sellers or grantors therein.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading anad consideration of Senate Bill No. 407, entitled:

An Act to amend section three of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," providing for the waiving of the requirement for the holding of meetings by societies under certain conditions.

On the question,

Will the Senate agree to the bill on third reading?

Mr. SHAPIRO. Mr. President, in view of the fact that I have not been able to get a copy of Senate Bill No. 407 before today, which I should like to read, I now request that it go over in its order.

The PRESIDENT. Is there objection?

Mr. WADE. Mr. President, I object. Copies of the bill are in the files and on our desks and have been there.

Mr. SHAPIRO. Mr. President, I know the bill is in the file on our desks, but I suggest to the gentleman from Cumberland that this bill was introduced on March 29, it came out of committee March 31, and since that time I have not been able to get a copy of the bill.

Mr. President, when I came here last week I asked for but could not obtain a copy of this bill, or any of the bills numbered following No. 404 and therefore in view of that fact I should like to read this bill before I try to vote on it; since I have not had a chance of reading the bill, I am asking that it go over in its order. If the gentleman from Cumberland objects, that is all there is to it.

Mr. WADE. Mr. President, the gentleman from Philadelphia has spent considerable time today in criticizing this body for not taking prompt action on bills, mentioning for one Senate Bill No. 177, which has been before us for some time and also another bill, No. 311, and also a third bill—I do not recall the number.

Now, Mr. President, we have before us a bill that has been recently introduced, the Committee gave it prompt and careful consideration, and the bill merely makes it possible for fraternal associations, whose by-laws and the State law of Pennsylvania require to hold conventions at least every four years—this bill would enable the Insurance Commissioner to suspend that requirement, which under present conditions should be suspended because of travel conditions and so forth and because the Federal Government has requested that unnecessary travel be restricted.

I hold in my hand a copy of this bill which I received last week, and I should be very glad to hand this over to the gentleman from Philadelphia, Senator Shapiro. I assure him that there is nothing malicious in this bill whatsoever.

Mr. COX. Mr. President, I am not interested in any controversy between the gentleman from Cumberland, Senator Wade, and the gentleman from Philadelphia, Senator Shapiro, but since I have been a member of this Senate I have tried conscientiously to read and study every piece of legislation on which I have to vote.

Last Thursday before leaving for home, I secured copies of all the bills that were then printed, which were available for study. I have here a Calendar of last week, marked by one of the employes of the Senate who secured the bills for me, and opposite Bill No. 407 is marked the word "out".

I do not think that any member of this Senate should rely, on final passage of any piece of legislation, on the interpretation of that legislation by the sponsor—and I mean that as no reflection to the geneltman from Cumberland, Senator Wade—but it might be that other members of the Senate disagree with the object Senator Wade is trying to accomplish in this particular bill.

On my own behalf and also on behalf of other members of the Senate who would like to read this bill, I also ask that it go over in order.

Mr. SHAPIRO. Mr. President, Senate Bill No. 177, which has been referred to as an example, was introduced on February 22, 1943. Certainly I object to a bill of its importance and which has been on our Calendar for so long and which has been amended and re-amended so many times, I object to it going over in order.

When it comes to Senate Bill No. 407 and when I have every bill up until today—I have read every bill up to No. 406—and bill No. 407 comes on the Calendar, which was introduced Wednesday, and this gentleman wants me to vote, I shall be glad to vote on this bill but I will be obliged to vote "present".

I never heard of a reasonable request of that character being refused and a comparison between this bill and Senate Bill No. 177 is odious.

Mr. COX. Mr. President, I again ask that this bill go over in order.

BILLS OVER IN ORDER

Mr. COX. Mr. President, I ask unanimous consent that Senate Bill No. 407, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES. Mr. President, I ask unanimous consent that Senate Bill No. 422, on third reading, entitled:

An Act to further amend section one of the act, approved the sixteenth day of April, one thousand nine hundred seven (P. L. 92), entitled as amended "An act defining the duty of coroners, where death is sudden or violent, or is of a suspicious nature and character, and of police, and health authorities, in this Commonwealth, in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner, but where it appears the cause of death is not surrounded by suspicious circumstances," by providing that investigations of deaths caused by accidents shall be made by the coroner of the county in which the accident causing death occurred

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 473, entitled:

An Act to repeal the act approved the twenty-seventh day of February one thousand eight hundred seventy-two (P. L. 179) entitled "An act to provide for the more economical collecting of state county poor and military taxes in the county of Huntingdon"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-seventh day of February one thousand eight hundred seventy-two (P. L. 179) entitled "An act to provide for the more economical collecting of state county poor and military taxes in the county of Huntingdon" is hereby repealed

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 487, on third reading, entitled:

An Act to amend section three of the act approved the third day of May one thousand nine hundred and nine (P. L. 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" by providing for granting of warrants and rights to certain additional lands.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 533, on third reading, entitled:

An Act to amend the title and Section 1 of, and to add Sections 2.1, 2.2, 2.3, and 2.4 to the act, approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 496), entitled "An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands," providing that in counties of the seventh and eighth classes taxes on unseated lands shall be returned by the tax levying authorities to the county commissioners and collected by the county treasurer.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HALUSKA. Mr. President, I ask unanimous consent that House Bill No. 688, on third reading, entitled:

An Act authorizing political subdivisions to refund money erroneously or inadvertently paid by persons and corporations into the treasury thereof for municipal improvements or upon municipal assessments liens whereof have been subsequently declared illegal and invalid.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COLEMAN. Mr. President, for the same reasons so very clearly stated by the gentleman from Philadelphia, Senator Shapiro, and also by the gentleman from Allegheny, Senator Cox, I ask that House Bills Nos. 694, 695, 696, and 697 go over in their order.

Mr. COLEMAN. Mr. President, I ask unanimous consent that House Bill No. 694, on third reading, entitled:

An Act to amend sections one, five, seven, nine and twelve, and to repeal section six of the act, approved the twenty-seventh day of May, one thousand nine hundred and thirty-seven (P. L. 901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers, and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties," by changing definitions, the period of the license and the fee therefor, and the contents of records; eliminating the requirement for a bond, and adding to the reasons for refusing licenses.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COLEMAN. Mr. President, I ask unanimous consent that House Bill No. 695, on third reading, entitled:

An Act to repeal the act, approved the twenty-third day of June, one thousand eight hundred ninety-seven (P. L. 202) entitled "An act to prevent fraud and deception in the manufacture and sale of cheese, and defining what shall constitute the various grades of cheese, providing rules and regulations for marking and branding the same, providing for the enforcement of this act, prescribing penalties for its violation."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COLEMAN. Mr. President, I ask unanimous consent that House Bill No. 696, on third reading, entitled:

An Act to repeal the act, approved the eighteenth day of June, one thousand eight hundred ninety-seven (P. L. 168), entitled "An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standard, to prevent the adulteration of the same, providing for the enforcement thereof, and punishment for the violation of the same."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COLEMAN. Mr. President, I ask unanimous consent that House Bill No. 697, on third reading, entitled:

An Act to amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 650) entitled "An act requiring persons associations partnerships and corporations and their agents herein defined as dealers and brokers engaging in the business of buying receiving selling exchanging negotiating or soliciting the sale resale exchange or transfer of certain domestic animals to be licensed by the Department of Agriculture providing for the revocation of such licenses imposing certain duties on such dealers and brokers and their agents conferring powers on said department and providing penalties" by changing the definition of "dealer"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 11, entitled:

An Act to amend section eighteen of the act, approved the thirteenth day of June, one thousand eight hundred thirty-six (P. L. 551), entitled "An act relating to roads, highways and bridges," authorizing vacation of parts of public roads where termini of remaining parts of road are not in public highway or place of public resort.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HOLLAND. Mr. President, I move that Senate Bill No. 14, on second reading, entitled:

An Act establishing the Pennsylvania State Technical School of Aeronautics; providing for the taking over of one of the State teachers' colleges therefor, and for the appointment of a committee to select the same; imposing duties on the Department of Property and Supplies; creating the Board of Trustees of the Pennsylvania State Technical School of Aeronautics; and prescribing its powers and duties

be recommitted to the Committee on Aeronautics.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 48, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending certain provisions for Section one thousand and twelve thereof for the duration of the war and six (6) months thereafter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 49, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending the provisions of Section nine hundred and two (f) thereof for the duration of the war and six (6) months thereafter.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 63, entitled:

An Act to amend the act approved the twenty-second day of April, one thousand nine hundred and thirty-seven (P. L. 394), entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions," by adding certain other conditions under which the Secretary of Highways may disregard terminal points.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 64, entitled:

An Act authorizing the Secretary of Highways to establish construct and maintain parallel or approximately parallel State highways in townships, boroughs, incorporated towns and cities in certain cases, providing for the payment of property damages resulting therefrom and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 65, entitled:

An Act to further amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 392) entitled "An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways" by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township borough incorporated town or city within which they are located after being improved and repaired by the Department of Highways and by adding a new section to provide that portions or sections of the old highway which are not included within the changed altered or established widths shall be considered vacated if such portions or sections are not of the full width of the highway as previously established.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 71, entitled:

An Act to amend section three of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 754) entitled "An act providing for the survey construction reconstruction improvement and maintenance of an Industrial State Highway between the cities of Chester and Philadelphia and making the same a part of the system of State Highways providing for the taking of certain roads and of certain private property therefor under the power of eminent domain and the payment of damages by certain counties and imposing certain powers and duties upon the Highway Commissioner and county commissioners" providing for ascertaining damages for the taking of private property and payment thereof in the same manner as provided by law in the case of State Highways.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 79, on second reading, entitled:

An Act relating to the investing, reinvesting, acquiring, exchanging, retaining, selling, and managing property by fiduciaries, and repealing acts or parts of acts inconsistent herewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 105, entitled:

An Act to amend section two thousand three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," authorizing the Department of Highways to condemn rights-of-way as agent for the Federal Government

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 191, entitled:

An Act authorizing guardians and trustees to purchase life endowment or annuity contracts in companies approved and duly authorized to carry on such business in the Commonwealth of Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 304, entitled:

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 305, entitled:

An Act to further amend the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing certain provisions of said act relating to removal notices and eliminating electors' rights to file removal notices in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole, being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 347, entitled:

An Act to add section six hundred seventeen and one-tenth to the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for special operators' licenses after suspension for persons required to operate motor vehicles in course of employment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 462, entitled:

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learners permit examination or additional fee and while in such service the operation of motor vehicles without operator's license or motor vehicle registrations and the temporary suspension of existing laws requiring the same.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 551, entitled:

An Act to amend section four of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of license fees for permission to conduct the same" by forbidding the continuation of the same business at the same location after the expiration of a license for conducting a removal or closing-out sale.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 644, entitled:

An Act to further amend sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties, cities, boroughs, incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery and fixing fees therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Tuesday, April 6, 1943, at 3:00 o'clock p. m. Eastern War Time.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:50 o'clock p. m. Eastern War Time until Tuesday, April 6, 1943, at 3:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 5, 1943

The House met at 9 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

Bishop John S. Stamm, M.A., D.D., L.L.D., Eastern Area, Evangelical Church, a guest of the Chaplain, offered the following prayer:

O God, Thou unseen yet ever present source of all life; we worship Thee as "our Father which art in heaven." We seek Thee that we might know Thy thoughts, share Thy work and establish the order of Thy will in our hearts and relationships.

Thou who dost direct "the stars in their courses" dost also seek to direct the ways of men into an ever increasing experience of full ness of life. Thou takest note of the falling of a sparrow but also of the struggles of all men. Thou givest meaning to the crystal and the cell and unity to all Thy works but Thou art also the reconciling and redeeming power through which man may be delivered from sin and ignorance and enter into newness of life.

Thou dost honor man through Thy call of comradeship in service. May we ever be conscious of Thy call and responsive to the leadership of Thy Spirit.

Bless we pray Thee these Representatives called to service for the welfare of the people of this great Commonwealth. Give them spiritual discernment in all the performance of their duties. Help them to remember that all life is rooted in moral and spiritual reality, and all authority has its ultimate source in Thee. Bless them and all associated with them in the ordering of the ways of life in this our civic and social union. Quicken in them and in all of us a renewed sense of social justice civic righteousness and spiritual purpose.

Bless our nation in these days of high purpose and unprecedented struggle. Give us Thy wisdom, strength and grace. Forgive our sins and grant us peace in righteousness through Jesus Christ our Saviour and Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 1, 1943.

The Clerk proceeded to read the Journal of Thursday, April 1, 1943, when, on motion of Mr. BOWER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. MURRAY and O'DARE.

HOUSE BILL No. 1086.

An Act making an appropriation to Philadelphia Camp No. 200, Sons of Union Veterans, for repairs and maintenance of Post 2 Grand Army of Republic Memorial Hall, Philadelphia, and contents thereof.

Referred to the Committee on Appropriations.

By Mr. LYONS. HOUSE BILL No. 1087.

An Act to further amend clauses one and two of section twenty-three of the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled, as amended "An act to regulate and restrain the traffic in malt and brewed beverages; as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by prohibiting sales after twelve o'clock midnight.

Referred to the Committee on Liquor Control.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 100.

An Act to re-enact and further amend section seventeen of the act, approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by authorizing commissioners to sell lands purchased at treasurers' sales upon which the period of redemption has expired, and providing for notice of such sale or sales.

Referred to the Committee on Judiciary General.

SENATE BILL No. 185.

An Act to further amend clause (c) of paragraph nineteen of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing that school districts of the third class which are in or coterminous with townships shall hereafter be entitled to receive annual payments from the Superintendent of Public Instruction for certain closed or discontinued schools.

Referred to the Committee on Education.

SENATE BILL No. 241.

An Act to amend section six hundred twenty-eight of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing for the prescribing, issuing and filing of certain forms by and with the Commissioner of the Pennsylvania Motor Police instead of the Secretary of the Commonwealth.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 281.

An Act to amend section one of the act approved the eleventh day of May one thousand eight hundred ninety-three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" authorizing certain corporations to make allowances or pensions to officers or employes.

Referred to the Committee on Corporations and Industry.

SENATE BILL No. 297.

An Act to amend Article II section two hundred two and to repeal Article IV section four hundred thirty-three and Article XVIII section one thousand eight hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executives and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined."

Referred to the Committee on State Government.

SENATE BILL No. 312.

An Act to further amend section one thousand four hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for payment for education of blind children out of appropriations made to the Department of Public Instruction for such purposes and conforming said section to existing law.

Referred to the Committee on Education.

SENATE BILL No. 401.

An Act to amend section five hundred twenty-five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended by making provision for the destruction of certain records in the various administrative departments, boards or commissions, after such records have been first microfilmed.

Referred to the Committee on State Government.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. SARGE. (Concurrent) RESOLUTION No. 53.

In the House of Representatives, April 1, 1943.

Each Easter Season in this enlightened country thousands of live chicks and ducklings and young rabbits are sold for temporary Easter pets for children who know nothing about, and care less for, their proper feeding and care.

Most of these unfortunate chicks and ducklings and rabbits die within a few weeks of starvation or misuses or plain cruelty.

Each one of these chicks or ducklings or rabbits, if properly cared for would have grown to maturity and in time would have assisted in reducing the food scarcity existing in the nation.

The sale of these live fowl and animals has become more than a matter of cruelty and now takes its place as a means of hindering and interfering with the prosecution of the war effort by wasting needed food and increasing the scarcity of meat.

It is now a matter more for the attention and action of the State Council of Defense than one for local societies for the prevention of cruelty to animals; therefore be it

Resolved (if the Senate concur), That the attention of the State Council of Defense is hereby called to the situation created by the sale of chicks, ducklings and young rabbits during the Easter Season and the Council is hereby respectfully requested to request all merchants, farmers, and dealers in poultry and other live stock to immediately discontinue the practice of selling such chicks, ducklings and rabbits and to publicize its actions in order that the public might be informed of its contribution to the scarcity of food in the purchase of such live stock; and be it further

Resolved, That the Chief Clerk of the House shall transmit a copy of this resolution to the Chairman of the State Council of Defense.

Referred to the Committee on Agriculture.

By Messrs. IRVIN and O'BRIEN. (Not printed).

In the House of Representatives, April 1, 1943.

The Honorable Samuel J. Perry, a former Member of this House from the 19th District of Philadelphia County, died on Monday, March 29th, at the age of seventy-one years.

He was a Member of this House during an uninterrupted period of twenty-two years, and since his retirement in 1932, he has been employed in the office of the Sheriff of Philadelphia County.

He was a member of the Republican Executive Committee of Philadelphia, president of the First Independent Club of the 25th Ward, and the founder of the Westmoreland Republican Club.

As a Member of this House he was in constant attendance during its sessions, and displayed keen interest in matters affecting the welfare of his constituents; therefore be it

Resolved, That this House of Representatives marks with sorrow the passing of one who devoted so much of his life in attending to the duties of his office as a Member of the General Assembly and extends to the surviving members of his family its most sincere sympathy; and be it further

Resolved, That the Chief Clerk of this House shall forward a copy of this resolution to those who survive him.

Referred to the Committee on Rules.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 30, 1943.

Whereas, Pursuant to Senate Concurrent Resolution of March 5, 1941, adopted by the Senate on March 5, 1941, and concurred in by the House on March 17, 1941, a Commission was appointed by the General Assembly of Pennsylvania known as the "Thomas Jefferson Bicentennial Commission of Pennsylvania" for the purpose of evolving plans in collaboration with the Thomas Jefferson Bicentennial Commission established by U. S. Congress in order that same may be submitted to the General Assembly of Pennsylvania preparatory to the celebration of the Bicentennial of the birth of Thomas Jefferson on April 13, 1943;

Whereas, The Thomas Jefferson Bicentennial Commission of Pennsylvania evolved elaborate plans long before the entry of the United States into the present global war calling for a grandiose celebration throughout the entire breadth and length of our Commonwealth; and

Whereas, Our present war-efforts call for an avoidance of any and all detractions from our total war-efforts needed for the attainment of victory and thus preclude local celebrations in each one of the thirty-six districts originally designated by the Thomas Jefferson Bicentennial Commission of Pennsylvania as well as the execution of the maximum program, the blueprint whereof was submitted to the General Assembly of Pennsylvania on March 11, 1942, and

Whereas, The Thomas Jefferson Bicentennial Commission of Pennsylvania decided to recommend to the General Assembly of Pennsylvania to limit the celebration of the Bicentennial of the birth of Thomas Jefferson to (1) a Joint Commemorative Session of the General Assembly of Pennsylvania on Wednesday, April 14, 1943, at 12 P. M. noon, Eastern War Time, to receive appropriate messages from His Excellency the Governor of Pennsylvania and many other dignitaries, (2) for the issuance of Commemorative Certificates for distribution among the members of the General Assembly of Pennsylvania and collaborators of the Commission, (3) to distribute 21 prizes in War Bonds totalling $700.00 for the best essay to be entitled "The Spiritual Legacy of Thomas Jefferson" in a state-wide contest, to be conducted autonomously in each one of the seven districts designated by the Commission and (4) to ask His Excellency, the Governor of Pennsylvania to issue an appropriate Proclamation in Commemoration of the Birth of Thomas Jefferson and his immortal contributions to the American ideology of Government, Now Be It Therefore

Resolved (if the House of Representatives concur), That the Senate and the House of the General Assembly of Pennsylvania hold a Joint Session on Wednesday, April 14, 1943, at 12 o'clock P. M. noon, Eastern War Time, to hear the commemorative messages of His Excellency Edward Martin, Governor of Pennsylvania, His Excellency Colgate Darden, Governor of Virginia, Dr. Robert L. Johnson, Chairman of the State-wide Committee of Educators and other dignitaries; and be it further

Resolved, That the Governor of Pennsylvania be requested to issue an appropriate Proclamation commemorating the Bicentennial of the Birth of Thomas Jefferson on April 13, 1943.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Referred to the Committee on Rules.

PETITIONS AND COMMUNICATIONS

The SPEAKER. The Chair laid before the House the following petitions and communications which were read by the Clerk.

BUILDING AND LOAN ASSOCIATIONS

Communications from County Leagues of Building and Loan Associations praying for the passage of House Bill No. 486.

Referred to the Committee on Building and Loan Associations.

WORLD FEDERATION

Communications protesting passage of the Humber Resolution and favoring passage of the Kephart Resolution.

Referred to the Committee on Federal Relations.

BLUE LAWS

Communication from the United Federal Workers of America, Philadelphia, favoring passage of House Bill No. 396.

Referred to the Committee on Law and Order.

BIRTH CERTIFICATES

A communication from John U. Shroyer, praying for the passage of House Bill No. 424, granting free birth certificates to Spanish-American War Veterans.

Referred to the Committee on State Government.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 527, 528 and 529

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 2, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 527, Printer's No. 126, entitled "An Act making a deficiency appropriation to aid certain school districts."

I have the honor to inform you that I have this day approved and signed House Bill No. 528, Printer's No. 233, entitled "A Supplement to the act approved the sixteenth day of June one thousand nine hundred forty-one (Appropriation Acts page 13) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-one' providing for a deficiency in the appropriation made by said act to the Department of the Auditor General for the fiscal biennium ending May thirty-first one thousand nine hundred forty-three."

I have the honor to inform you that I have this day approved and signed House Bill No. 529, Printer's No. 127, entitled "A Supplement to the act approved the sixteenth day of June one thousand nine hundred forty-one (Appropriation Acts page thirteen) entitled 'An act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and forty-one and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and forty-one' providing for deficiencies in certain appropriations made by the act for the fiscal biennium ending May thirty-first one thousand nine hundred forty-three."

EDWARD MARTIN.

SENATE MESSAGES

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 5, 1943.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday evening, April 12, 1943, at four o'clock, and when the House of Representatives adjourns this week, it reconvene on Monday evening, April 12, 1943, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 60.

An Act to further amend sections two thousand six hundred twenty and two thousand six hundred twenty-five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the filing of copies of auditors' reports in school districts of the third and fourth classes

HOUSE BILL No. 105.

An Act to reenact and amend the title of and the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2611) entitled "An act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions" extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions.

HOUSE BILL No. 138.

An Act to further amend section seven of the act, approved the second day of May, one thousand eight hundred eighty-nine (P. L. 66), entitled "An act defining and regulating escheats in cases where property is without a lawful owner, and providing for more convenient proceedings relative to the same," by providing that any number of items paid into or deposited in the custody or under the control of any court of the United States in and for any district within this Commonwealth or in the custody of any depository, registry, or of any receiver, clerk or other officer of any of said courts may be joined in one petition of escheat.

HOUSE BILL No. 473.

An Act to repeal the act, approved the twenty-seventh day of February, one thousand eight hundred seventy-two (P. L. 179), entitled "An act to provide for the more economical collecting of state, county, poor and military taxes in the county of Huntingdon."

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 34.

An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" by providing that employes on retirement for superannuation who return to active school service during the present war shall not upon return to retirement receive any smaller allowance than that received prior to return to active school service.

HOUSE BILL No. 60.

An Act to further amend sections two thousand six hundred twenty and two thousand six hundred twenty-five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the filing of copies of auditors' reports in school districts of the third and fourth classes.

HOUSE BILL No. 105.

An Act to reenact and amend the title of, and the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2611), entitled "An act authorizing political subdivisions, other than cities of the first class, to set-off delinquent taxes and municipal claims and penalties, interest, and cost due thereon, against claims and accounts due by such political subdivisions," extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions.

HOUSE BILL No. 114.

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given.

HOUSE BILL No. 138.

An Act to further amend section seven of the act approved the second day of May one thousand eight hundred eighty-nine (P. L. 66) entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" by providing that any number of items paid into or deposited in the custody or under the control of any court of the United States in and for any district within this Commonwealth or in the custody of any depository registry or of any receiver clerk or other officer of any of said courts may be joined in one petition of escheat.

HOUSE BILL No. 230.

An Act to amend section two of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 228) entitled "A supplement to the act approved the eighteenth day of June one thousand nine hundred and twenty-three (P. L. 840) entitled 'An act concerning declaratory judgments and decrees and to make uniform the law relating thereto' prescribing the practice to be pursued in such proceedings" making further provision for the service and return of petitions for declaratory judgments.

HOUSE BILL No. 473.

An Act to repeal the act approved the twenty-seventh day of February one thousand eight hundred seventy-two (P. L. 179) entitled "An act to provide for the more economical collecting of state county poor and military taxes in the county of Huntingdon"

HOUSE BILL No. 475.

An Act to further amend section twenty-five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising, and consolidating the law relating thereto," by providing that in the case of any spouse on active duty in the armed service of the United States in time of war, the affidavit accompanying his or her libel in divorce may be taken, within or without the Commonwealth, before any officer commissioned in the armed forces of the United States authorized by law to take affidavits and acknowledgments.

HOUSE BILL No. 504.

An Act providing that persons in the armed forces and merchant marine of the United States and its allies may renew licenses or certificates to engage in professions and occupations after discharge from military service.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. HEIM for himself for the sessions on Tuesday and Wednesday.

REPORT FROM COMMITTEE

Mr. HOLMES, from the Committee on Judiciary General, reported as committed, House Bill No. 393, entitled:

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 56, entitled:

An Act authorizing the Department of Highways and counties, cities, boroughs, towns and townships to adopt and take over as public roads and highways, certain highways taken over, located, extended or constructed by the Federal Government or any agency thereof in the exercise of the war power; and providing the procedure therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 198, entitled:

An Act to amend section nine hundred fifteen of the act approved the first day of May, one thousand nine hundred thirty-three, (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," continuing the liability of taxpayers after the tax collector has been exonerated.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 330, entitled:

An Act relative to the printing for the Commonwealth of Pennsylvania; to establish the requirements of responsible bidders; to prescribe penalties for the violation of the provisions of this act, and to repeal all acts and parts of acts inconsistent with the provisions of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 358, entitled:

An Act to amend section one thousand one hundred fifty-six of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," providing for the regulation of encroachments on township highways and the issuing of permits therefor by the township supervisors instead of by the Department of Highways of the Commonwealth, and for the payment of permit fees into the township treasury.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 541, entitled:

An Act to further amend section six hundred two, subsection fourteen, of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended, "An ac to regulate and restrain the sale, manufacture, possession transportation, importation, traffic in, and use of alcohol and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department o Public Instruction, other officers of the State Government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sal of such beverages not for consumption on the premises and the granting of licenses, subject to local option, t sell such beverages for consumption on and off th premises; forbidding importation or bringing of suc beverages into the State except as herein provided prohibiting certain sales or practices in, connection with and transactions in such beverages by licensees an others; providing for the forfeiture of certain propert making disposition of the receipts from State stores an of fees; and imposing penalties," exempting certain coi operated motion picture machines from provisions of th act requiring special permits.

And said bill having been read at length the first tim Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consid eration of House Bill No. 625, entitled:

An Act to amend section one of the act, approved th sixth day of May, one thousand nine hundred twenty seven (P. L. 843), entitled "An act authorizing the Department of Highways, with the approval of the Governo to build, rebuild, construct, and maintain roads whol upon the lands of State institutions and State parks, ar providing for the payment of the cost thereof," by authorizing the Department of Highways, with the approv of the Governor, to build, rebuild, construct and maint roads, bridges and viaducts wholly on State Armory properties and State Military Reservations and on the groun of the Soldiers' and Sailors' Home of Erie, Pennsylvani

And said bill having been read at length the first tim Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consi eration of House Bill No. 663, entitled:

An Act to further amend Section 2, to amend Sectio 3 and 5, to add Section 8.1, and to amend Section 11 the act, approved the twenty-first day of June, one tho sand nine hundred thirty-nine (P. L. 626), entitled " act providing for and regulating the assessment and val ation of all subjects of taxation in counties of the seco class; creating and prescribing the powers and duties a Board of Property Assessment, Appeals and Revie imposing duties on certain county and city officers; abo ishing the board for the assessment and revision of tax in such counties; and prescribing penalties," by reduci the number and changing the manner of appointment of members of said board, further prescribing their powers and duties; fixing the qualifications and requiring examinations of employes of the board; further regulating the making of assessments and valuations of real property; and imposing duties on certain county officers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 756, entitled:

An Act to amend section two of the act, approved the twenty-sixth day of May, one thousand nine hundred twenty-one (P. L. 1172), entitled "A supplement to the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity'; requiring permits to conduct pharmacies; providng for the revocation thereof; and prescribing penalties," by adding to the qualifications required of applicants for a pharmacy license.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 778, entitled:

An Act to further amend subsection (k) of section ight hundred twenty-three of the act, approved the first day of May, one thousand nine hundred twenty-nine P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless rolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, nd legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local uthorities to deal with the subject matter of this act; onferring powers and imposing duties upon the Department of Revenue, the Department of Highways, eace officers, mayors, burgesses, magistrates, aldermen, ustices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon ownrs, counties, cities, boroughs, incorporated towns, townhips, within the Commonwealth, liability for damages aused by the negligent operation of their motor vehicles; mposing penalties; imposing certain costs upon counties; roviding for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," amplifying the provisions relatng to the display of official certificates of inspection by motor vehicle, trailer or semi-trailer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 804, entitled:

An Act to further amend subsection (d) of section one thousand two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," making certificates from an official speedometer testing station prima facie evidence of the facts contained therein in appeals taken from suspension or revocation of operating privilege.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 807, entitled:

An Act to further amend subsection (b) of section one thousand two hundred six of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, miscellaneous receipts; making an appropriation and providing for refunds," by including certain pleas to be certified by the clerks of court.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 841, entitled:

An Act to further amend section two hundred twenty-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by requiring that amount of bond of issuing agents shall be fixed by the Secretary of Revenue.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 851, entitled:

An Act to amend section one thousand one hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one, (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," providing for the salary of the controller.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 871, entitled:

An Act to further amend sections two, three hundred five, paragraph (4) of section six hundred two and section six hundred three of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvnia Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises; and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by defining "Official Seal" and authorizing the designation of wholesale or retail stores.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 878, entitled:

An Act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock, equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council; providing for the repayment of such advancements; authorizing the State Council for the Blind to adopt rules and regulations; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 922, entitled:

An Act to add Clause XLVII to section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing the townships of the first class to make appropritaions to Veterans' Home Associations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 926, entitled:

An Act creating a commission to make a study of juvenile delinquency; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1003, entitled:

An Act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid empowering counties to pay certain damages; providing for the collection of tolls on such bridge; and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 130, entitled:

An Act to amend section two hundred thirteen of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by prohibiting the sale of or offering for sale of bait-fish or fish-bait taken from the waters of this Commonwealth, when not artificially propagated and sold pursuant to an artificial propagation license granted by the board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 372, entitled:

An Act to amend clause eight of section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by empowering townships of the second class to levy a tax, under certain circumstances.

for the purpose of paying for the removal and disposal of ashes, garbage and other refuse material.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 452, entitled:

An Act to amend sub-sections one and two of section nine of the act approved the twenty-fourth day of July, one thousand nine hundred and forty-one (P. L. 490) entitled "An act relating to acknowledgements of written instruments, and to make uniform the law with relation thereto," defining how certificates of certain acknowledgements taken without the State shall be authenticated.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 468, entitled:

An Act to further amend sections three hundred seven and five hundred one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental disease, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care and discharge of mental patients; and imposing penalties," imposing certain costs on the institution district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 497, entitled:

An Act to further amend section one of article two, and section one of article ten, of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," abolishing the Department of Public Welfare of such cities; and transferring its powers and duties and records and certain city property to the county institution district of the county in which the city is located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 498, entitled:

An Act to further amend section one hundred two, and to amend sections two hundred two and two hundred three of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven, (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance, in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," abolishing city institution districts in cities of the second class; and transferring their powers and duties and their property to the county institution district of the county in which the city is located.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 521, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and nonresident real estate brokers and real estate salesmen and their business," by providing for the regulation and supervision of resident or nonresident real estate brokers and real estate salesmen and their business by the State Real Estate Board, instead of the Department of Public Instruction.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 537, entitled:

An Act to amend section one thousand five hundred and two, by adding thereto clause XLVII, of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," authorizing certain townships of the first class to appropriate moneys for the support of hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 753, entitled:

An Act to reenact and amend the act, approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45), entitled "An act empowering cities of the first and second classes to levy, assess and collect, or to provide for the levying, assessment, and collection of, certain additional taxes for general revenue purposes; authorizing the establishment of bureaus, and the appointment and compensation of officers and employes to assess and collect such taxes; and permitting penalties to be imposed and enforced," by extending the provisions of said act to cities of the second class, limiting its application and the use of the proceeds of any tax levied therein.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 120, entitled:

An Act to amend subsection (c) of section three, and to further amend subsection (e) of section nine of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively, creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in an unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by further defining the term "employer"; and extending, under certain circumstances, the time limit within which petitions and charges may be filed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 254, entitled:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania, to acquire, by gift, the Harmony Society Graveyard in the Borough of Ambridge, Pennsylvania, providing for the control, management and maintenance thereof; authorizing the Commission to make and enforce rules and regulations for the preservation, maintenance and violation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 641, entitled:

An Act providing for the validation and amendment of defective tax liens heretofore or hereafter entered of record; and repealing inconsistent legislation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 726, entitled:

An Act to amend section twelve of the act approved the twelfth day of May, one thousand nine hundred twenty-five, (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," making further provision for the satisfaction of conditional sales contracts filed in the office of the prothonotary.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 740, entitled:

An Act placing corporations operating cemeteries and burial grounds under the control of the Department of Banking; authorizing said Department to make examinations of the affairs of such corporations at the cost of such corporation and in certain cases, with the approval of the Department of Justice, to take over and operate the same; and imposing certain duties on the court of common pleas.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 750, entitled:

An Act to further amend subsection (a) of section twenty-five of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended, "An act relating to the administration and distribution of the estates of decedents and of minors; and of trust estates; including the appointment, bonds, rights, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents; rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by providing for the filing of petitions for the enforcement of payment of legacies charged upon real estate by executors, administrators cum testamento annexo and administrators de bonis non cum testamento annexo.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 830, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey two certain tracts of land in Woodbury Township, Blair County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 832, entitled:

An Act to amend sections four and seven of, to further amend sections one, six and nine of, and to add sections eleven, twelve and thirteen to the act, approved the twentieth day of May, one thousand nine hundred and thirty-seven (P. L. 728) entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth; providing for and regulating the procedure in prosecuting claims before such board; defining the powers of the board; and fixing the compensation of members and employes thereof; providing that the awards of such a board shall be final providing for the payment of awards; and authorizing an appropriation," by providing for the payment of fees and expenses of the members of said board not properly chargeable as costs of proceedings before it, and further defining the jurisdiction of said board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 917, entitled:

An Act to promote interstate cooperation for the use, conservation; protection and equitable diversion of the water resources of the Delaware River Basin between and among the States of Pennsylvania, New York and New Jersey, for the purpose of meeting prospective needs for domestic and municipal water supply; regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards; requiring permits from and providing for hearings by, the Water and Power Resources Board and for appeals from its decisions; vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations, and further defining its powers and duties; requiring notice to the States of New York and New Jersey of all applications for water diversion; providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1061, entitled:

An Act providing that the terms of constables hereafter elected in cities of the second, second class A and third classes, boroughs and townships, shall be for six years.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 302, entitled:

An Act to further amend section seven hundred seven subsection (e) of section nine hundred three and to repeal section seven hundred eight and subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to the weight length and width of motor buses and motor omnibuses and loads and changing the registration fees of motor buses motor omnibuses and other vehicles used for the transportation of passengers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 368, entitled:

An Act providing that in the post-war period owners of buildings in counties of the second class may improve enlarge remodel repair or replace the same with no increase of assessed valuation for tax purposes for a certain period of time and authorizing in certain cases the said counties and the political subdivisions therein to convey free of cost land to individuals for building purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 573, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by adding clause XIX to Section 1006 so as to provide a special fund for construction and reconstruction after the cessation of hostilities in the war in which the United States is now engaged.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 575, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs," by adding an additional clause to Section 1202 LIII relating to exemptions from advertising.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 67, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" establishing the method of appointing promoting reducing in rank suspension furloughing discharging and reinstating members of the police force of counites of the second class creating and defining the powers and duties of a civil service commission imposing certain duties and expenses on such counties and prescribing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 315, entitled:

An Act prescribing certain fire and panic precautions to be observed in buildings occupied by night clubs or similar establishments imposing certain additional duties upon fire marshal fire chiefs and other officials in the various political subdivisions throughout the Commonwealth and providing penalties

The first section was read.

On the question,

Will the House agree to the section?

Mr. TAHL offered the following amendment:

Amend sec. 1, page 2, line 18, by inserting after the word "apply" the following: "to any private club to which only bona fide members are admitted or."

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. TAHL offered the following amendment:

Amend sec. 2, page 2, line 25, by inserting after the word "years" the following: "or to pay a fine of not less than one thousand dollars ($1,000), nor more than two thousand dollars ($2,000)."

It was agreed to.

The section was agreed to as amended.

The third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 86, entitled:

An Act authorizing certain organizations with permission of the court of quarter sessions to conduct bingo games and award prizes to the winners; fixing fees and providing penalties.

The first section was read.

On the question,

Will the House agree to the section?

Mr. GILLAN offered the following amendment:

Amend sec. 1, page 1, line 6, by inserting after the word "firemen" the following: "athletic association, improvement association, playground association, band, orchestra, musical organization."

It was agreed to.

On the question,

Will the House agree to the section as amended?

Mr. AUKER offered the following amendment:

Amend sec. 1, page 2, lines 13 to 16, both inclusive, by by striking out the words "No or-" in line 13, and all of lines 14, 15 and 16.

On the question,

Will the House agree to the amendment?

Mr. TIEMANN. Mr. Speaker, in order that the Members of the House may know what we are thinking of in this amendment I would like the privilege of speaking and explaining the purpose of the bill along with what this amendment will do. The purpose of this bill is to grant permission to church and other organizations such as volunteer firemen, war veterans posts, unions or any charitable institutions the privelege of playing bingo, after they petition and secure permission from the quarter session court of the county where such organization is located. It specifically states that none of the proceeds received can be given to any individual or promoter for the conduct of such games, and provides penalties for any violation.

I might further state that no organization licensed to sell liquor or malt and brewed beverages shall be granted a permit hereunder to conduct bingo games on the licensed premises. This does not restrict the organization but it does restrict the premises. This bill has been amended numerous times to help adjust conditions existing in other sections of the state.

The amendment with respect to liquor was placed in the bill because a number of Members of this House have informed me that with such a clause in the bill they would favor the final passage of this bill. Believing that it would do no harm to any organization even those who hold a liquor license, I agreed to the insertion of the amendment. When an organization plays bingo they do not confine it to their own members, but desire the public at large to participate in such games. I went to the Legislative Reference Bureau this afternoon to check up further and only a few minutes ago I received a telephone call advising me that an act is already on the books known as Act 1834, P. L. 117 which prohibits all kinds of games being played when there is a liquor license held. Apparently it makes little difference either way with this clause in this bill or out of the bill, with the exception that with it in the bill I have the support of an additional twenty Members of this House.

Mr. AUKER. Mr. Speaker, I am sure I have no special objection to the bill providing there is no discrimination set up in the bill, but I cannot for the life of me see why certain gentlemen in this House want to discriminate against fraternal organizatoins simply because they have a liquor or a beer license. I represent the American Legion in the state of Pennsylvania who have many Legion halls. Also there are veterans' organizations throughout the state that have their own homes. Quite a few of them have licenses in those places. We would have no other place to play bingo if this bill were passed in its present form. I am assuming that this is also true of very many other fraternal organizations all over the state. Most certainly the argument is very poor to say that this clause was included in it at the interest of possibly five or ten or twelve members of the House who said that they would vote for the bill if this clause were in it. The bill is either good or bad on its merits. This bill with this clause in it is bad on its merits. I seriously question the constitutionality of this act with this clause in it, because it very definitely is discrimination against all organizations just because they have a license. It sets up a special class of legislation to my mind, and it is very much of a question as I say whether the act is constitutional with this clause in it. All that we ask in behalf of the fraternal organizations, in behalf of the veterans' organizations throughout the state is to be given the same privilege as the rest of the people and the rest of the organizations have throughout the state, and I respectfully ask every Member of the House to vote for this amendment.

Mr. HUNTLEY. Mr. Speaker, as Chairman of the Committee on Law and Order I wish to explain why this bill was brought out on the floor of the House. This bill is a home rule bill which will allow every community to settle the question of playing bingo as they see fit in that particular community. I have been on this Law and Order Committee for many years, and every session there are a number of bills brought into this Commttiee and on the floor of this House which have local significance. For instance, a bill that will be suitable for Philadelphia will not be suitable probably for the country districts. This allows them to take their troubles to the local courts instead of to this House. It does not belong here. It belongs in some tribunal at home.

The reason this bill is drawn as it is is because many people said they favored the bill provided there were no Sunday or liquor rackets connected with it, and that is the reason the original bill was amended.

I have not received one letter from any dry organization, from any church organization, from any Sunday organization, from any organization whatever against this bill. All of the reports I have received are that the bill was good, provided there were no Sunday or liquor rackets connected with it. I have only received one letter that said anything against the bill, and that seemed to be from a sailor boy according to the literature, his name was not signed to it, but he was saying if I could once see them playing bingo in Philadelphia I would know what kind of a racket it was. But outside of that there has not been one letter in opposition to this bill. I have received probably one hundred letters against Sunday desecration but this bill seems to be a good bill. I believe it is a good bill and the reason I am opposed to this amendment, I am afraid it will hurt the bill and will drive from it a lot of support that would be for it. If this amendment is allowed to go in the bill it is questionable whether a number of men will not vote against the passage of the bill.

Mr. PETROSKY. Mr. Speaker, I arise at this time to heartily concur in the amendment of the gentleman from Blair, Mr. Auker, in support of this amendment, inasmuch as from what I have seen throughout my own community and other communities, throughout the state, there would be no provision for holding your bingo games for those charitable organizations, if this amendment were not put into this bill. Again may I say that many organizations who today are deriving funds from such games which will be legalized upon the passage of this bill are doing many more charitable things than will be accomplished without this amendment being put into effect into this measure. I say to the Members of the House it is very necessary to adopt the amendment offered by the gentleman from Blair for the simple reason that the provisions of the act will be defeated by withholding permission to hold bingo games in such places that have licenses to sell malt or brewed beverages.

I again ask the Members on both sides of the House to support this amendment in order to maintain the benefits of this measure before us.

On the question recurring.

Will the House agree to the amendment?

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. GILLAN offered the following amendment:

Amend sec. 2, page 2, line 24, by striking out the word "town" and inserting in lieu thereof "incorporated towns."

It was agreed to.

The section was agreed to as amended.

The third, fourth, fifth and sixth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 488, entitled:

An Act authorizing the Secretary of Highways, at the request of and under agreement with, the Public Roads Administration of the United States, to lay out, establish, construct and maintain flight strips and roads to the sites of war activities or to replace roads or streets which have been closed by defense or military activities and to condemn property for such purposes; authorizing a width of two hundred feet for such roads in certain cases, and making appropriations.

And said bill having been read at length the second time.

On the question,

Will the House agree to the bill on second reading?

Mr. COHEN. Mr. Speaker, I desire to interrogate the sponsor of this bill, the gentleman from Indiana, Mr. McMillen.

The SPEAKER. Will the gentleman from Indiana permit himself to be interrogated?

Mr. McMILLEN. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, do I understand under the terms of this bill federal funds will be accepted by the Department of Highways for the purpose of building these roads to war industry plants and for building flight strips for aeroplane use?

Mr. McMILLEN. Mr. Speaker, yes, presumably that is so. It will permit the Department of Highways to contract with the Federal Roads administration for the building and development of roads, access roads into defense areas, especially plants which are built off the main highways and where a large military area has been taken. Many of our highways have been cut off by the right-of-way of the Federal Government. This bill would permit the Federal Government to replace routes of travel around those areas taken by them and paid for them out of Federal funds.

Mr. COHEN. Mr. Speaker, will the gentleman tell me if he knows how much money shall be appropriated or put aside from the Motor License Fund for the construction of any such roads?

Mr. McMILLEN. Mr. Speaker, it is the understanding that the Federal Government is to reimburse the State Department of Highways one hundred percent for any work they do for the Federal Government.

Mr. COHEN. Mr. Speaker, is there any present knowledge of approximately how much money will be used?

Mr. McMILLEN. Mr. Speaker, I think that is unknown due to the fact that we do not know yet just how many roads are going to be built, access roads into those areas.

Mr. COHEN. Mr. Speaker, does the gentleman know what will happen to these roads and flight strips after the emergency passes?

Mr. McMILLEN. Of course, any roads that are of a state nature or any roads that are replaced would naturally fall back to state ownership. For instance, if a state road is cut off, and the routes of travel that are already maintained by the state were cut off, naturally any road that would be provided in lieu of it would be a state proposition.

Mr. COHEN. I understand further that these roads are to be built around defense plants and also around government reservations?

Mr. McMILLEN. Only to the extent that they provide routes of travel for the ordinary truck traffic that is now traveling that way.

Mr. COHEN. Mr. Speaker, then to be perfectly clear these roads that will be paid for one hundred percent with Federal funds will eventually become a part of the state or local district system of highways, is that correct?

Mr. McMILLEN. Yes, that is my interpretation.

Mr. COHEN. Mr. Speaker, is the gentleman familiar with House Bill 56 on page one of today's calendar, the first bill on the calendar which provides for the taking over of highways by the Commonwealth of Pennsylvania or by the boroughs, townships or counties in which such roads are located?

Mr. McMILLEN. No. Mr. Speaker, I am not exactly familiar with that.

Mr. COHEN. Mr. Speaker, if I read the bill correctly House Bill 56 provides that all these roads after the emergency passes will be taken over by the Commonwealth of Pennsylvania, for inclusion in its regular state highway system or by local political subdivisions. Will the gentlemon say that that is a fair statement of House Bill 56?

Mr. McMILLEN. Mr. Speaker, I am sorry I cannot answer the gentleman from Philadelphia on that. I am not familiar with it.

Mr. COHEN. Mr. Speaker, that is all. Mr. Speaker, may I interrogate the gentleman from Allegheny, Mr. Ewing?

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. EWING. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I assume that the gentleman as usual has carefully followed the interrogation, and I desire to ask him whether that is a fair statement of the purpose of House Bill 56, whether it would permit after the emergency is over these roads which are to be built one hundred percent with Federal funds to become a part of the state highway system and the highway system under the supervision of township and borough officials?

Mr. EWING. Mr. Speaker, House Bill 56 allows the townships and unincorporated boroughs, or any borough, township or city to take over and maintain at the present time and after the war is over.

Mr. COHEN. Mr. Speaker, do I understand correctly that the townships, boroughs, or political subdivision that take over these roads will not have to pay for the cost of the building of these roads?

Mr. EWING. That is correct.

Mr. COHEN. I desire to thank the gentleman from Allegheny.

On the question recurring,

Will the House agree to the bill on second reading?

It was agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The bill having been called up from the postponed Calendar, by Mr. Lloyd H. Wood.

The House resumed the consideration on second reading of House Bill No. 634, entitled:

An Act to further amend sections seven hundred three, seven hundred four and nine hundred and three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing annual registration fees and the gross weight of certain commercial motor vehicles and truck tractors.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. BROWN and LLOYD H. WOOD offered amendments.

The amendments offered by Mr. Brown were read as follows:

Amend sec. 2, page 6, line 19, by inserting after the word "amended" the following: "by adding immediately after subsection (i) thereof a new subsection."

Amend sec. 2, (sec. 903), page 6, lines 22 to 26 both inclusive by striking out all of said lines.

Amend sec. 2 (sec. 903) page 7, lines 1 to 26, both inclusive by striking out all of said lines.

Amend sec. 2 (sec. 903), page 8, lines 1 to 29, both inclusive, by striking out all of said lines.

Amend sec. 2 (sec. 903), page 9, lines 1 to 27, both inclusive, by striking out all of said lines.

Amend sec. 2 (sec. 903), page 10, lines 1 to 28, both inclusive, by striking out all of said lines.

Amend sec. 2 (sec. 903), page 11, lines 1 to 21, both inclusive, by striking out all of said lines, and inserting in lieu thereof the following:

* * * *

(j) Notwithstanding any of the foregoing provisions of this section, the permitted gross weights of the following types of vehicles, hereinbefore provided for shall be as follows, during the continuance of the war in which the United States is now engaged and until the end of the next session of the General Assembly to convene after the cessation of hostilities:

(1) Four-wheeled (2 Axles) Class V Chassis Weight—5000 lbs. and over but less than 6000 lbs. Gross Weight—19,000 lbs.

(2) Four-Wheeled (2 Axles) Class W Chassis Weight—6000 lbs. and over but less than 7500 lbs. Maximum Gross Weight—23,000 lbs.

(3) Four-Wheeled (2 Axles) Class Y Chassis Weight—7500 lbs. and over but less than 9000 lbs. Maximum Gross Weight—27,000 lbs.

(4) Four-Wheeled (2 Axles) Class Z Chassis Weight—9000 lbs. and over. Maximum Gross Weight—30,000 lbs.

(5) Six-Wheeled (3 Axles) Class UZ Chassis Weight—5000 lbs. and over but less than 6000 lbs. Maximum Gross Weight—24,000 lbs.

(6) Six-Wheeled (3 Axles) Class VZ Chassis Weight—6000 lbs. and over but less than 7500 lbs. Maximum Gross Weight—28,000 lbs.

(7) Six-Wheeled (3 Axles) Class WZ Chassis Weight—7500 lbs. and over but less than 9000 lbs. Maximum Gross Weight—32,000 lbs.

(8) Six-Wheeled (3 Axles) Class YZ Chassis Weight—9000 lbs. and over but less than 12,000 lbs. Maximum Gross Weight—36,000 lbs.

(9) Six-Wheeled (3 Axles) Class ZZ Chassis Weight—12,000 lbs. and over. Maximum Gross Weight—40,000 lbs.

(10) Two-Wheeled Vehicles. Maximum Gross Weight—20,000 lbs.

(11) Four-Wheeled Vehicles. Maximum Gross Weight—30,000 lbs. Maximum Gross Weight on any Axle—20,000 lbs.

(12) Six or more Wheeled Vehicles. Maximum Gross Weight—40,000 lbs. Maximum Gross Weight of any one of the rear Axles—18,000 lbs.

(13) Truck, tractor and semi-trailer combined. Maximum Gross Weight—45,000 lbs. Maximum Gross Weight on any Axle—20,000 lbs.

On the question,

Will the House agree to the amendments?

Mr. LLOYD H. WOOD. Mr. Speaker, I do not desire, if it is possible to avoid it at this time, to enter into a lengthy debate on the merits of this bill. I merely want to say at this time that the sponsors of this bill have had under consideration for the past week or ten days the advisability of agreeing to this amendment, and we have concluded that it has practically no advantages to offer to the sponsors of the bill or the trucking industry. We have practically everything that this would guarantee to us under executive order at the present time, and I ask the Members of the House to vote down this amendment.

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Wood.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. LLOYD H. WOOD. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, did I understand the gentleman from Montgomery, Mr. Wood, to say that they had everything they wanted under an executive order?

Mr. LLOYD H. WOOD. Mr. Speaker, if the gentleman understood me to say that, he misapprehended the intended import of my remarks. I did not say any such thing. I said we had under executive order, which of course is the equivalent of saying that during the duration under executive order the trucking industry enjoys practically all of the advantages that are offered under this bill. Therefore, if we agree to go along on the duration proposition we will get just exactly nothing.

Mr. BROWN. Mr. Speaker, under this executive order does it apply to all trucks or just the trucks that are hauling war materials?

Mr. LLOYD H. WOOD. Mr. Speaker, trucks that are hauling war materials.

Mr. BROWN. Mr. Speaker, therefore, those that are not hauling war materials would not be able unless this amendment to this bill were adopted to increase their loads.

Mr. LLOYD H. WOOD. Of course, Mr. Speaker, we do not have a classification hard and fast for the purpose of hauling war materials. Practically all of the larger trucks at one time or another are hauling war materials.

Mr. BROWN. Mr. Speaker, but there are some trucks that are not hauling war materials, is that not right?

Mr. LLOYD H. WOOD. That is right, Mr. Speaker.

Mr. BROWN. Mr. Speaker, should not those trucks have the same advantages that the other trucks are having?

Mr. LLOYD H. WOOD. Mr. Speaker, that is what we propose to give them under this bill.

Mr. BROWN. Mr. Speaker, will not this amendment then for the duration put them on the same basis as the other trucks hauling war materials?

Mr. LLOYD H. WOOD. Well that is almost a distinction without a difference. There would be no occasion for the smaller trucks to want this advantage exclusively for hauling war materials. However, the larger trucks, and I dare say—I could not say this as a hard and fast proposition—but I know that it is practically true that all these larger trucks at one time or another have hauled and will continue to haul war materials.

Mr. BROWN. Mr. Speaker, then it is purely a matter of wanting some legislation rather than the right to do what you are now doing that this bill is needed at all, is that right?

Mr. LLOYD H. WOOD. Well, Mr. Speaker, I see that the gentleman from Allegheny is going to insist upon a debate so that I might just as well go into the merits of this bill now.

Mr. BROWN. I yield to the gentleman from Montgomery, Mr. Speaker.

Mr. LLOYD H. WOOD. Mr. Speaker, we have surrounding the Commonwealth of Pennsylvania about six or seven states, practically all of which enjoy a maximum load of several thousand pounds in excess of the reasonable request that is set forth in this bill. To be specific, I will give you those weights in the respective states: In the state of New York the maximum load is sixty-one thousand five hundred pounds. In Ohio it is fifty-seven thousand seven hundred fifty pounds. In West Virginia it is seventy-two thousand pounds. In the state of Maryland it is fifty thousand eight hundred pounds. In the state of New Jersey it is sixty thousand pounds. The state of Delaware now provides for three thousand pounds more than we enjoy at the present time under existing law, namely, thirty-nine thousand pounds, and a limit of forty-two thousand pounds. Therefore, out of six states that surround Pennylvania, the state of Delaware is the only one that will have a maximum load that will be less than the proposed forty-five thousand pounds that are included in this bill.

As far as road construction is concerned, the durability of the highways, I do not desire to go into that any further than to say that the roads of Pennsylvania are as substantial, if not more substantially constructed than they are in the surrounding states. Pennsylvania is in the middle of all these states as a bottleneck. That is to say, take as an illustration, we have in Pennsylvania the canning industries. If a canner in Pennsylvania desires to send a truckload across the state to the Philadelphia market, it takes three trips to haul as much as a truck hauling a pay load from a canning industry in one of these surrounding states down within the Philadelphia market area. On the other hand, if we have someone in the Philadelphia market engaged in the clothing industry and they desire to have their goods transported to the New York market, the same situation prevails. That is to say, that it would require three truckloads from Philadelphia, whereas someone across the line in New Jersey can haul in two truckloads the equivalent.

I don't know how much further Mr. Brown wishes me to go but I will let it suffice for the moment to say that we have made a reasonable request here in the large tractor job. We request only six thousand pounds in addition to a law that is twenty-three years old. That goes clear back to the time when we had solid tires on the trucks. I think this is a very reasonable request and one with which the Members of the House can certainly well afford to go along.

I want to conclude by saying that I am not in the trucking business, I am not associated pecuniarily or connected by affinity or consanguinity with anybody that is in the trucking business. I voted for this bill a few years ago because I thought it was for the best interests of the people of Pennsylvania, and that is why I am for this bill.

Mr. BROWN. Mr. Speaker, will the gentleman tell us whether or not in these other states there are rebates that go back to the political subdivisions from the licensee?

Mr. LLOYD H. WOOD. Mr. Speaker, I am not posing as an authority on the setup in these other states. I cannot understand what bearing that question would have on the existing fact that they haul seventy-two thousand pounds in West Virginia, as opposed to thirty-nine thousand pounds in Pennsylvania. The fact that somebody gets his truck fleeced certainly would not lighten the burden on the highways.

Mr. BROWN. I thank the gentleman.

Mr. Speaker, in order that the Members will not be confused I have only inserted a paragraph in this bill. The weights remain the same but because of the draftmanship we had to insert the new matter by amending section 2 which necessitated placing the weights in another position in the bill, but the weights are identically the same as in the original bill.

It is very difficult for me to follow the reasoning of the gentleman from Montgomery, Mr. Wood. If they already have the authority to do what they are doing then why the bill at all? Unless they simply want to be generous and give to the state additional money for doing what they lawfully have the right to do now, but for which they are paying no additional fee? Maybe that is the reason, for obviously there could be no other reason.

Let me read what I put in the bill in order to help the truckers and to be most generous with them, and I quote the only new paragraph in the amendment:

> Notwithstanding any of the foregoing provisions of this section, the permitted gross weights of the following types of vehicles heretofore provided for shall be as follows, during the continuance of the war in which the United States is now engaged and until the end of the next session of the General Assembly to convene after the cessation of hostilities:

If the truckers and those interested in this bill want to do a service to those of us who have a belief that this increased weight should not be allowed unless some rebates are given back to the small communities who must repair the streets, who must take care of the damage to the highways and the bridges, why don't they give it a trial, not only for the duration of the war but until the end of the next general session, which will convene after the war? In other words I am trying to do something here that which we can do. I am trying to bind the next regular session after the war in behalf of these truckers. If anybody can object to that, certainly there must be something behind this bill, which has not been given to us, and by that I do not mean that anyone has any ulterior motives. I do not make that accusation but I cannot see why anybody would object to this amendment, which is not only more than lenient but even goes beyond our power and gives the pledge of faith that this increase in weight will not be disturbed until the next general session following the cessation of hostilities.

This amendment will inure for the benefit not only of those who have the right now but to others who may not be fortunate enough to have war contracts. Those who have war contracts do not need this bill, as the gentleman from Montgomery well knows. But I believe in fairness to the man who perhaps is on the line carrying goods, using trucks that might be necessary later on, has to have this right too. There should not be a law whereby one man is favored because he has a contract or by virtue of the materials which he is hauling, and his trucks allowed to go through and the other man not allowed to go through. Let us make it general for all trucks. Let us say to them, if you prove by the time the war is over to the next General Assembly that you have not damaged the roads, then we will say to you this provision will be stricken out.

Mr. Speaker, I ask the gentleman from Montgomery to go along with this amendment and I feel sure that the entire membership of the House will vote for it.

Mr. LLOYD H. WOOD. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Brown.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BROWN. I shall, Mr. Speaker.

Mr. LLOYD H. WOOD. Mr. Speaker, I would like to ask the gentleman from Allegheny, Mr. Brown, if he cares to explain to the Members of the House what reasons he has, if any, for not making this act a permanent piece of legislation?

Mr. BROWN. Mr. Speaker, the first reason is that I believe those who oppose this act because of the fact that these trucks will do some damage to the highways and the roads off the main highways, have a case in point, and I believe before we write them permanently into the law and increase these weights, we ought to have some assurance that some of the rebates will go back into the communities that must carry this load.

Mr. LLOYD H. WOOD. Mr. Speaker, will the gentleman from Allegheny admit that there is a prospect that the trucks will use the highways for at least two more years, and even longer under his amendment?

Mr. BROWN. Mr. Speaker, absolutely Mr. Speaker, I would say if there is anybody here has any reasonable information as to when the war will end, I will take the gentleman's word as well as anybody else's, and I will say that two years is as good a guess as anybody else could make.

Mr. LLOYD H. WOOD. Mr. Speaker, is it not a fact that under the gentleman's amendment trucks would have the right under this amended to use the highways with these weight limits that have been provided for at least a minimum of two years

Mr. BROWN. Mr. Speaker, that is correct except this, whatever legislation we may pass before the next session of the General Assembly, the Governor would have the constitutional right, if he saw fit, to call a special session, and if he would proclaim in the call the matter concerning the increase in weights, and the Legislature should wish to increase or decrease they could do so. With that exception I answer the gentleman's question.

Mr. LLOYD H. WOOD. Mr. Speaker, is it the gentleman's feeling that the primary highways of the Commonwealth are not constructed strong enough to carry this weight?

Mr. BROWN. Mr. Speaker, I wish to say that the primary highways might be strong enough. However, if the gentleman will allow me to qualify the answer, I would say that the primary highways are but the trucks do not travel entirely over the primary highways.

I may give the gentleman an example of some of the municipalities in my county, Turtle Creek, East Pittsburgh, Pitcairn, Wilmerding. As I understand, the primary highway for the trucks there is the Lincoln Highway. If the trucks would only use the Lincoln Highway, somebody would have to provide an elevator to let them down from the Highway into the plants of Westinghouse at East Pittsburgh or build a scaffold perhaps one thousand feet high. They must get off the main highway to get to those plants and in getting off the main highway they traverse the streets and highways of the municipalities and the subdivisions thereof.

Mr. LLOYD H. WOOD. Mr. Speaker, is the gentleman from Allegheny familiar with the percentage of motor truck travel that is conducted over the primary highway system of all the truck traffic that is carried in the Commonwealth?

Mr. BROWN. Mr. Speaker, I am not, in terms of actual weight or mileage. I have only a casual observation in seeing these trucks going to and from those industrial plants and organizations.

Mr. LLOYD H. WOOD. Will the gentleman from Allegheny admit that the construction and maintenance has been more or less curtailed during the war?

Mr. BROWN. Mr. Speaker, certainly I will admit that, and maybe that is a good reason why the bill ought not to pass at all. I may withdraw my amendment and vote against the bill. I did not have in mind that the gentleman would make a good argument as to why the bill should not be passed.

Mr. BENTLEY. Mr. Speaker, I find myself in an unusual position, in that I must disagree with my colleague from Allegheny, Mr. Brown's, amendment. I sort of find myself in another unusual position, in that I am going to reverse my vote on this bill from that of the last session. During the last session I voted against any increase in weights for trucks, but as every Member of this House knows the facts that faced us at the last session do not face us today. We are in the midst of the greatest war in which this country has ever been, or any country. Perhaps the most single important phase of that war is transportation. We speak daily of going all out, and to go all out we must give the trucking industry, one of the greatest arms of our transportation field, all of the help we can give them.

As I understand the amendments offered by Mr. Brown, reduced to their simplest form, come to this: This Legislature says to the trucking industry, "We will give you a trial period in which you may increase the weights on your trucks, the weights carried by your trucks." That involves not alone a mere additional load on the trucks, it involves this: all of the trucking industry, the owners of individual trucks, single trucks, the owners of a fleet of trucks, if they are in the all out hauling of war materials, must increase the size of their trucks. It means that in most cases they must go out and buy additional axles, wheels, and tires. It means that they must buy larger trucks. Now, are we to say to the trucking industry, you shall have this trial for the duration of the war so that you can carry the life blood of our war effort, and at the same time hold over them the Sword of Damocles, in that, at the end of the war, after the next session of Legislature, they may find this tremendous outlay for the equipment to put on the fleet of trucks they will purchase, oversized axles and tires, will be rendered useless because we will once again want to return to the old weight standards.

I say, Mr. Speaker, in this state where we have always fostered manufacturers, industries, transportation, it is not for this Legislature to say now, we will give you a trial period and at the end of the trial period the equipment which you have purchased may be rendered illegal and useless.

It is argued, that we may tear up the highways with this additional weight, we may render them useless. My thought on that is this, at a time such as this, when we are spending flesh and blood and bone of our young men in an effort to win this war, we should not be thinking of concrete or steel or other things that are necessary to make up a road. I think we should say to the trucking industry, You are doing a very vital job, we want you to carry more loads, and we are going to make it legal for you to do it. We are not going to put a penalty on you in asking you to buy trucks which after the war may be rendered useless."

It is for that reason, Mr. Speaker, that I find I cannot vote for the amendment offered by my colleague.

Mr. BENTZEL. Mr. Speaker, I was not going to speak on this amendment tonight, but Mr. Brown smoked me out. The gentleman from Allegheny says there is no ulterior motive. I want the House to know that there was no ulterior motive in my interest in this bill as co-sponsor. Many years ago I was in the trucking industry. As a matter of fact, I was one of the pioneers in the trucking industry, I was the one who ran the first line between York and New York in 1916, and helped the war effort at that time. At that time in the United States we had 326,000 trucks on the highways of our states. At the beginning of this war we had 4,911,500 trucks. That is a few more than we had in 1917. I say to you that the reason I am interested in this bill is that I have a son on the battle front. He has been there for a year. Bottlenecks are assuredly with us, and we have had them for quite some time. We must give the trucking industry the credit which is due them. We admit that there is a small percentage of the trucks in the United States that are hauling war materials. We find that eighty-eight percent of the trucks in our country are operated by one truck concern. There are seven percent that have two trucks, two precent that have three trucks and about three percent that have more than three trucks in the entire United States. It is this category that we are trying to help carry more weight or load. Most of you will remember as Members of this House two years ago we did pass a trucking bill, passed by the House and Senate, but the Governor vetoed that bill. Then what happened? After the Governor vetoed the bill, we found on May 26, 1942, when he asked for law enforcement officials to desist from arresting to allow trucks to haul the weights asked for in this bill, we found that the law enforcement officials did not go along with Governor James' proclamation. The fact of the matter is that many arrests have been made since that time, and they are still making arrests. This is only a validating bill. All that we are asking for now is that we allow them to haul the weights that the Governor of Pennsylvania in 1942 asked that they be allowed to haul and were not allowed. These truckers are not asking to be allowed to do anything for nothing. The revenues from the increased weights and the increase of license fees for these trucks in this particular category would amount to $360,000 a year. The trucking industry today in Pennsylvania is paying twenty-five million dollars towards your roads. The question has been raised here as to what effect trucks have on the roads. I am very glad to answer that question. I am not an engineer but I do have some information here that I think will be valuable to the House. We find that Mr. Eastman in Public Aids to Transportation, Vol. IV Page 121, found that the weather and other natural forces, rather than the character and size of the motor vehicle, are responsible for nearly seventy-five percent of highway maintenance costs. He observed that

> "All pavement types are subject to weathering and kindred deteriorating influences not associated with traffic."

We further find that in our Pennsylvania system of Highways the assistant Director of Highways, had this to say at a meeting at Bedford regarding the trucking industry and other transportation.

> "In driving over a highway, it is more natural to assume that the maintenance of the road surface and base which carries the traffic loads would be most expensive to keep in satisfactory traffic carrying conditions. Such is not the case. The following figures show definitely that the general repairs of the berms, ditches, drainage, signs, traffic lines, markers, etc., with the exception of the roads and streets in boroughs and cities cost more than the maintenance of the base and surface."
>
> "The figures presented by Mr. Buckius reveal that on the state highway system the cost of base and surface maintenance was only 35% of the total cost of the maintenance of the highway system. It is reasonable to assume that at least a portion of this base and surface cost would have been incurred if no vehicles at all had used the highways and that therefore the cost incurred could be divided at least into three major categories:
>
> (1) maintenance due to the action of the elements
> (2) maintenance due to the use of passenger cars
> (3) maintenance due to use by commercial motor vehicles.
>
> "Assuming a division of approximately one third to each category, trucks would be charged directly with only about 12% of the maintenance cost of base and surface."

I have an expression of opinion by Commissioner Thomas H. MacDonald, of the United States Public Roads Administration, in an address before the American State Highway officials in October 1939. Mr. MacDonald has this to say:

> Poor highway foundations and weather conditions have been the major cause of highway damage in the opinion of Mr. MacDonald, the nation's foremost highway engineer. He recounts, "One of the complaints is that the roads are being ruined by the operation of heavy trucks or heavy buses over them. To illustrate the approach of the highway engineer to that problem—after studying his road, he decided that the trouble did not lie in deterioration in the road surfaces themselves but in the foundation under the road; so, perhaps twelve to fifteen years ago, the highway engineer started the study of soils as foundations.
>
> After all, the road is nothing but a thin ribbon laid over the supporting ground. Regardless of what material is on top, it cannot support the load except as the foundation underneath gives support to that thin ribbon on top. Over a period of ten or twelve years now, a control has been established over soil, so that it is definitely possible to say today that these soils can be controlled in such a way that thin surfaces can be built to carry the loads, heavy loads, if properly distributed on the axles and under pneumatic tires, with very little deterioration.

In that connection, Mr. Speaker, let me say that today we are building roads with a nine inch concrete surface. I challenge any man to say to me or anyone else that a roadbed of eight or nine inches of concrete can be broken down by any tractor-trailer or any motor bus or any vehicle propelled by gasoline. It cannot be done.

Therefore, Mr. Speaker, in conclusion let me say that this measure to my way of thinking is a validating act, giving the truckers the right to haul just what they have been hauling without being interfered with by the various state officials, and mainly the constables. I ask the Members of the House to support the measure.

Mr. LOVETT. Mr. Speaker, I rise to support the amendments offered by Mr. Brown. As one who has served on a Committee on the Interstate Council of State Governments on truck legislation within the past year I went down to Washington and appeared before a Senate Committee that had a bill before them to give the Interstate Commerce Commission the right to regulate the weight of trucks in the different states throughout the United States. I went down and opposed that bill because I felt that the individual states themselves should regulate their own weights, and that the people of the states would be much better satisfied if we in the states regulated our own weights and measures.

My friends, I do not oppose the original bill, but I do feel that Mr. Brown's amendments are fair and will give an opportunity to the truckers who are paying an increase in their license fees on these weights, and I feel this amendment would give to the truckers the opportunity to prove to the people and to the state of Pennsylvania that the weight of these trucks will not destroy the highways of the state of Pennsylvania.

I want to say a word in regard to Mr. Bentley's remarks. I feel that these trucks that are now being used in the state of Pennsylvania are perfectly able to carry the loads asked of them. I do not believe it will be necessary for these truckers to go out and buy any new equipment. I think their trucks are capable of carrying these additional weights, and therefore, I do not see that there would be any hardships on the truckers whatsoever. I feel that the amendment offered by Mr. Brown is just, and I ask the Members of the House to support this amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Moran and Mr. Schuster and were as follows:

YEAS—91

Baker,
Barrett,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Calvin,
Chervenak,
Cohen,
Coleman,
Cooper,
Cordier,
Corrigan,
Croop,
Cullen,
Dague,
Denman,
Dillon,
Elder,
Erb,
Fleming,
Flynn,
Foor,
Gates,
Goodwin,
Grant,
Green,
Heatherington,
Hersch,
Hoggard,
Holmes,
Hunter, B. F.,
Huntley,
Kirley,
Kolankiewicz,
Krepps,
Krise,
Lane,
Leonard,
Levy,
Leydic,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McClester,
Mihm,
Mintess,
Modell,
Mooney,
Moore,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Powers,
Readinger,
Reese, R. E.,
Reynolds,
Riley,
Robertson,
Rose, S.
Rose, W. E.,
Rowley,
Sarraf,
Scanlon,
Schuster,
Skale,
Smith,
Snider,
Sorg,
Stank,
Swope,
Thompson,
Thrasher,
Trent,
Wagner, P. L.,
Wallin,
Weiss,
Welsh,
Wright,
Yester,

NAYS—87

Alspach,
Barton,
Bentley,
Bonawitz,
Boyd,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Campbell,
Cook,
Costa,
Coulson,
Dalrymple,
Dennison,
Dix,
Ewing,
Figlock,
Flack,
Fox,
Gardner,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Hunter, W. M.,
Imbrie,
James,
Jones,
Kline,
Laughner,
Lee,
Leisey,
Lichtenwalter,
Livingstone,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mock,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Salus,
Serrill,
Sollenberger,
Stockham,
Stonier,
Tahl,
Taylor,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fullerton,
Garber,
Kennedy,
Kitchen,
Root,
Royer,
Fiss,
Speaker.

So the question was determined in the affirmative and the amendments were agreed to.

On the question,

Will the House agree to the section as amended?

The amendment offered by Mr. Lloyd H. Wood was read as follows:

Amend section 2, page 12, lines 9 and 10 both inclusive, by striking out all of said lines.

It was agreed to.

On the question recurring,

Will the House agree to the section as amended?

The SPEAKER. For the information of the gentleman from Allegheny, Mr. Brown, the last amendment offered by him is identical with the amendment offered by the gentleman from Montgomery, Mr. Wood. Does the gentleman desire to withdraw that amendment?

Mr. BROWN. I do, Mr. Speaker.

The SPEAKER. The gentleman from Allegheny, Mr. Brown, withdraws the last amendment offered by him.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

The third section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. BROWN offered the following amendment:

Amend the title, page 2, next to last line of title, by inserting after the word "and" the words "temporarily changing."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection, Senate Bill No. 174, Printer's No. 174, was passed over at the request of Mr. FLEMING.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection, House Bill No. 703, Printer's No. 265, was passed over at the request of Mr. SMITH.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 610, as follows:

An Act to amend section four of the act of one thousand seven hundred five (1 Smith's Laws 25) entitled "An act to restrain people from labour on the first day of the week" by authorizing the service or execution on Sunday of certain warrants and other instruments in cases of misdemeanors involving gambling

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act of one thousand seven hundred five (1 Smith's Laws 25) entitled "An act to restrain people from labour on the first day of the week" is hereby amended to read as follows

IV And be it further enacted That no person or persons upon the first day of the week shall serve or execute or cause to be served or executed any writ precept warrant order judgment or decree except in cases of treason felony misdemeanor involving gambling or breach of the peace but that the serving of any such writ precept warrant order judgment or decree shall be void to all intents and purposes whatsoever and the person or persons so serving or executing the same shall be as liable to the suit of the party grieved and to answer damages to him for doing thereof as if he or they had done the same without any writ precept warrant order judgment or decree at all

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—88

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Burns,
Calvin,
Campbell,
Cohen,
Cooper,
Costa,
Coulson,
Dalrymple,
Denman,
Dennison,
Depuy,
Ely,
Erb,
Ewing,
Foor,
Fox,
Fullerton,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gyger,
Hall,
Hamilton,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Longo,
Madigan,
Mahany,
McAtee,
McClester,
McMillen,
McSurdy,
Miller,
Mock,
Nowak,
Pettit,
Reagan,
Reese, R. E.,
Riley,
Robertson,
Rose, S.
Rose, W. E.,
Rowley,
Smith,
Sollenberger,
Sorg,
Stockham,
Swope,
Thrasher,
Turbett,
Van Allsburg,
Wagner, P. L.,
Wallin,
Wright,
Fiss,
Speaker.

NAYS—83

Baker,
Barrett,
Bentzel,
Boies,
Boory,
Bradley,
Brown,
Cadwalader,
Chervenak,
Chudoff,
Coleman,
Cordier,
Corrigan,
Croop,
Cullen,
Dillon,
Dix,
Duffy,
Finnerty,
Flack,
Flynn,
Goodwin,
Grant,
Green,
Hannon,
Harris,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Hunter, W. M.,
Kolankiewicz,
Krepps,
Leonard,
Levy,
Livingstone,
Lovett,
Lyons,
Maxwell,
McKinney,
Menna,
Mihm,
Mintess,
Modell,
Mooney,
Moore,
Moran,
Muir,
Munley,
Murray,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Polaski,
Powers,
Readinger,
Reese, D. P.,
Reilly,
Royer,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Snider,
Stank,
Stonier,
Tahl,
Taylor,
Thompson,
Trent,
Trout,
Verona,
Wachhaus,
Walton,
Weiss,
Welsh,
Wood, L. H.,
Wood, N.,
Worley,
Yester,

Less than the two-thirds required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 747, as follows:

An Act to further amend clause (f) and to amend clause (g) of section twenty of the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing procedure relating to registration of State and Federal employes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (f) of section twenty of the act approved the thirtieth day of March one thousand nine hundred and thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) is hereby further amended to read as follows

Section 20 Manner of Registration

* * * * *

(f) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from the city wherin he resided when entering such employment his wife or her husband unless actually separated and living apart shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the [Auditor General] head of the proper department board or commission under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

Section 2 Clause (g) of section twenty of said act is hereby amended ot read as follows

Section 20 Manner of Registration

* * * *

(g) At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the [Auditor General of this Commonwealth] head of the proper department board or commission of the State Government in whose employ such person is alleged to be or at his office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street and number of his residence in the city

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the sponsor of the bill, the gentleman from Philadelphia, Mr. Tahl.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. TAHL. I shall, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, in reading House Bill 747, Printers' No. 244 I find that this bill takes away from the Auditor General and gives to the heads of various departments the right to certify that an employee is on the state payroll. I would like to know from the sponsor of this bill why this change is necessary.

Mr. TAHL. Because, Mr. Speaker, it serves duplication of effort. The head of the department must send in the name to the Auditor General, and the Auditor General then issues the certificate. It is in line with the practice of the federal government that only the heads of the department issue such certificates.

Mr. CHUDOFF. I should like to know from the gentleman from Philadelphia whether or not the Auditor General has a complete list of employes of the Commonwealth?

Mr. TAHL. He has, Mr. Speaker.

Mr. CHUDOFF. I should like to know further, Mr. Speaker, from the gentleman from Philadelphia, Mr. Tahl, as to whether or not the Auditor General has a seal of office.

Mr. TAHL. The gentleman knows that he has, Mr. peaker. Why does he ask me that question?

Mr. CHUDOFF. I should like to know from the gentleman from Philadelphia, Mr. Tahl, on page 3, lines 20 nd 21 of this bill, starting with the words "head of the roper department, board or commission under the seal f his office," I should like to know from the gentleman om Philadelphia whether every department. board, or ommission of the Commonwealth has a seal of office?

Mr. TAHL. Mr. Speaker, as far as that goes, it is my nderstanding that all the boards and commissions have a seal of their own.

Mr. CHUDOFF. I should like to know further, Mr. peaker, from the gentleman from Philadelphia, Mr. Tahl, as to whether or not he does not feel that it is better to have one central certifying agency rather than having a number of agencies certifying these employes?

Mr. TAHL. Mr. Speaker, I think that the present method pursued is in line with that pursued by the Federal Government. The head of each department must certify the names of his employes, and I do not see why we should have duplication. The Auditor General must at the present time get the names from the various departments and then certify them. Under this bill it merely follows the procedure of the federal government.

Mr. CHUDOFF. Mr. Speaker, do I understand the gentleman from Philadelphia to say that under the bill in its present form you have to duplicate? You have to ask both the head of the department and the Auditor General?

Mr. TAHL. Mr. Speaker, as I tried to tell the gentleman, at the present time the Auditor General must get the list from the various departments and then certify them. This bill would do away with that duplication and merely require the head of the department to issue that certificate. That is just the thing being done now by the federal government. The name of the employee is certified from the department where the person is employed. That is actually what this bill does, and nothing else.

Mr. CHUDOFF. I should like to know, Mr. Speaker, whether it is compulsory for the Auditor General to approve every payroll of any board, commission or department of the Commonwealth, and as a result thereof he has this list, and it is not necessary for them to supply him with it.

Mr. TAHL. Mr. Speaker, that has nothing to do with this. He has to approve the payroll. He must get the list from the departments of all the persons in public service as to the right of the person to vote. It doesn't have anything to do with the payroll at all; it only has to do with the right of the person to register and vote.

Mr. CHUDOFF. I should like to know of the gentleman from Philadelphia, Mr. Tahl, whether or not under the present system any resident of Philadelphia has lost his right to vote, or any employee of the Commonwealth has lost his right to vote?

Mr. TAHL. Will the gentleman please repeat the question?

Mr. CHUDOFF. I should like the gentleman from Philadelphia to state whether under the present system, that is, under the Auditor General's certificate, any employee of the Commonwealth has lost his right to vote?

Mr. TAHL. I am not saying that, Mr. Speaker. This is to expedite matters; that is the intent of the bill.

Mr. CHUDOFF. I thank the gentleman from Philadelphia.

Mr. Speaker, I feel this is another bill that is before the members of the House that has no reason to be here. It is just the same as changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police. Under the present system, if an employee of the Commonwealth is working in Harrisburg and he wishes to vote at home all that is necessary is that the Auditor General certify that he is an employee of the Commonwealth working in Harrisburg. No employee of the Commonwealth has ever lost his right to vote under the present law, and it is just a matter of spending a lot of money and also changing the right of the person making the present certification, therefore, Mr. Speaker, I ask you to vote this bill down as an unnecessary measure.

Mr. WATKINS. Mr. Speaker, I wonder where the gentleman was last week when we passed the companion bills to this measure. They were passed by the entire membership of the House. This is a good bill, and it doesn't cost the state more money; it costs it less money, less bother, and less duplication. I ask the Members of the House, both the majority and the minority to vote for the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—126

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Fox,
Freed,
Fullerton,
Garber,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Readinger,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Fiss,
Speaker.

NAYS—68

Baker,
Barrett,
Bentley,
Bentzel,
Boory,
Bradley,
Brigerman,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Flynn,
Goodwin,
Grant,
Green,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Polaski,
Powers,
Reese, R. E.,
Regan,
Reynolds,
Rose, S.
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Welsh,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 396, as follows:

An Act to amend section eleven of the act approved the sixteenth day of May one thousand nine hundred nineteen (P. L. 193) entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms and for the regulation supervision of public dances and balls in cities of the first second and third classes" by authorizing the continuance of a dance until a later hour than two o'clock ante meridian

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven of the act approved the sixteenth day of May one thousand nine hundred nineteen (P. L. 193) entitled "An act to provide for the licensing and regulation of public dance halls and ball rooms and for the regulation supervision of public dances and balls in cities of the first second and third classes" is hereby amended to read as follows

Section 11 All public dances shall be discontinued and all public dance halls shall be closed on or before the hour of one o'clock ante meridian Provided however That upon the application of a bona fide organization or society and upon an investigation by the proper authority the mayor may grant such organization or society or group a permit to continue a dance until two o'clock ante meridian Provided further That while the United States is engaged in the present war and for six months thereafter upon the application of a bona fide organization society or a group of persons engaged in essential war work and upon an investigation by the proper authority the mayor may grant such organization society or group a permit to continue a dance until such time as to him may seem proper

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Finnerty, Dillon and Bentley asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—75

Baker,
Barrett,
Bentley,
Boies,
Boory,
Bradley,
Brunner, P. A.,
Burns,
Cadwalader,
Campbell,
Chervenak,
Chudoff,
Cohen,
Cordier,
Corrigan,
Cullen,
Dillon,
Duffy,
Finnerty,
Flynn,
Goodwin,
Gorman,
Grant,
Green,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Huntley,
Kirley,
Kline,
Kolankiewicz,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
McSurdy,
Menna,
Mihm,
Mintess,
Modell,
Mooney,
Moran,
Munley,
Murray,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Polaski,
Powers,
Readinger,
Regan,
Reynolds,
Root,
Rose, S.
Sarraf,
Scanlon,
Schuster,
Skale,
Stank,
Tahl,
Tate,
Thompson,
Tiemann,
Trent,
Verona,
Wachhaus,
Walton,
Weiss,
Welsh,
Yester,

NAYS—107

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Calvin,
Coleman,
Cooper,
Coulson,
Fullerton,
Garber,
Gates,
Gillan,
Goodling,
Greenwood,
Gross,
Gyger,
Hall,
Hamilton,
Hannon,
Hare,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
Royer,
Salus,
Serrill,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stockham,
Stonier,
Swope,
Taylor,

Dague,
Dalrymple,
Denman,
Dennison,
Dix,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Flack,
Fleming,
Foor,
Fox,
Freed,
Harris,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hunter, W. M.,
Imbrie,
James,
Jones,
Kennedy,
Kowalski,
Krepps,
Krise,
McMillen,
Miller,
Mock,
Moore,
Moser,
Muir,
Nowak,
Pettit,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Thrasher,
Trout,
Turbett,
Van Allsburg,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Watkins,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Fiss,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL PASSED OVER

There being no objection House Bill No. 844, Printer's No. 254, was passed over at the request of Mr. LLOYD H. WOOD.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 849, entitled:

An Act relating to child care centers; conferring certain powers and duties upon the State Council of Defense, local and district councils of defense, and political subdivisions; providing for the adoption of rules and regulations for the maintenance, operation and conduct thereof; and authorizing appropriations by political subdivisions.

On the question,

Will the House agree to the bill on third reading?

Messrs. MAHANY and BROWN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 6 of the title by striking out after the word "thereof" and before the word "authorizing," the word "[and]".

Amend page 1, line 7 of the title by inserting after the word "divisions" the following: "and providing penalties".

And section 2, page 2, by inserting between lines 10 and 11 the following: "Emergency child care centers" shall mean only such emergency child care centers established by the State Council of Defense and local and district councils of defense under the provisions of this act."

Amend section 2, page 2, line 11 by striking out after the word "Section" and before the word "The" the figure: "[2]", and inserting in lieu thereof the figure: "3".

Amend section 2, page 2, line 20 by striking out after the word "that" the following "[nothing in this act shall ap-]".

Amend section 2, page 2, by striking out lines 21 to 29 inclusive, and inserting in lieu thereof, the following: "this act shall apply only to emergency child care centers established under the provisions of this act, which shall be established without any distinction whatever on account of, or by reason of, the race, color or creed of any child."

Amend section 3, page 3, line 1, by striking out after the word "Section" and before the word "In", the figure: "[3]" and inserting in lieu thereof the figure: "4".

Amend section 4, page 3, line 12, by striking out after the word "Section" and before the word "Any", the figure: "[4]" and inserting in lieu thereof the figure: "5".

Amend section 5, page 3, line 20, by striking out after the word "Section" and before the word "In", the figure: "[5]" and inserting in lieu thereof the figure: "6".

Amend section 6, page 3, line 26, by striking out after the word "Section" and before the word "Local", the figure "[6]" and inserting in lieu thereof the figure: "7".

Amend section 7, page 4, line 10, by striking out after the word "Section" and before the word "Political", the figure: "[7]" and inserting in lieu thereof the figure: "8".

Amend section 8, page 4, line 16, by striking out after the word "Section" and before the word "Any", the figure; "[8]" and inserting in lieu thereof the figure: "9".

Amend section 9, page 4, line 23, by striking out after the word "Section" and before the word "This", the figure; "[9]" and inserting in lieu thereof the figure: "10".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. LEVY. Mr. Speaker, I move that House Bill No. 849, Printer's No. 256, be recommitted to the Committee on Education for the purpose of a public hearing.

(After a pause.)

Mr. LEVY. Mr. Speaker, temporarially I will withdraw the motion to recommit in order that debate upon the bill may have the widest latitude.

The SPEAKER. The gentleman from Philadelphia, Mr. Levy, withdraws his motion to recommit temporarily.

Mr. LEVY. Mr. Speaker, tied up with House Bill 849 in my opinion is the message of the Governor at the opening of the present session of the Legislature. I would say that in order to get the full import of the Governor's language it might be well to read what the Governor said.

Mr. Speaker, I am ready and willing to go ahead with the debate, but I am not going to be unnecessarily interrupted by a great number of the gentlemen on the other side getting up and walking out.

If all the gentlemen on that side have left who intend to leave, then I am going to continue. I might say that this is the first bill relative to the Governor's program concerning the war. If we are going to debate serious bills we are going to do it without interruption, and I am certainly entitled to that courtesy.

The SPEAKER. The Speaker would inform the gentleman that the Chair has endeavored to keep order, and asks that each member respect the gentleman who has the floor. The gentleman will please continue.

Mr. LEVY. Mr. Speaker, as I said the full import of the Governor's message to this Legislature can best be described by reading the record, and in the Governor's message opening the session in his extraneous remarks following his main speech he said:

> Members of the General Assembly and fellow Americans: I would like in a most confidential way to speak to you just a little further. I have great confidence in the American people, and at the close when I leave, if the newspapermen will meet me in my office we will determine what is best to give to the public in the remarks that I am now about to make.
>
> I feel that the American people are entitled to know as far as possible our objectives, our aims and how we intend to attain them.
>
> America is now in two great wars. One is to defeat the most ruthless enemy in the history of civilization; the other is to retain our American way of

life. The first can be accomplished by all of us unselfishly doing everything we can to win this war. War, however, is eventually won by the boys on the front line. Regardless of restrictions on food, on transportation, on clothing, on pleasures, our contribution here on the home front is so insignificant compared to what they contribute, that there is no comparison. Here on the home front we must do everything to make the lives of our boys on the fighting front, and those who are to go to the fighting front, as easy as possible. That can be done by writing them cheerful letters telling them how greatly we appreciate the sacrifices they are making.

Then we must speed up production here at home. I would like to see it come to pass that every rifleman has a reserve of three or four rifles; that each tank company may have plenty of tanks if tanks become disabled; that our boys in the air have plenty of planes so that it will not be necessary for them to fly a plane under any condition that is not mechanically perfect. We must increase our building of ships."

Gentlemen, House Bill 849 in my humble opinion strikes at the very root of the Governor's—

POINT OF ORDER

Mr. MAHANY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. MAHANY. Mr. Speaker, is the gentleman from Philadelphia, Mr. Levy, now restricted to debating upon the amendments, or may he debate this bill?

The SPEAKER. The amendments are agreed to. The gentleman may debate the bill. The question before the House is, will the House agree to the bill on third reading.

Mr. LEVY. Mr. Speaker, before the interruption I said that the bill before the House on third reading has a direct bearing on the Governor's remarks to this Legislature. It likewise, gentlemen, has a direct bearing on Pennsylvania's participation in the war effort. House Bill 849, authorizing certain state support for emergency child care centers, has been prepared and been introduced by the State Council of Defense in recognition of the need of a state supported child care program.

However, an examination of this bill can only raise serious questions concerning the evident policy of the Defense Council on this vital child care issue. We must assume when our official agencies introduce legislation that it reflects the considered policy of these agencies. As revealed in House Bill 849 and the continuing appropriation for child care in the proposed budget for child care, the only conclusion is that here is represented an official policy on a vital war question, a policy which we can without hesitation say, will cause a slowdown of vital production because of a hostility to possible federal cooperation because of a "save-the-pennies-but-risk-losing-the-war" approach.

Let us understand the importance of the establishment of a child care program. We must clearly understand that child care is primarily a war question, not a social question. It is a war production question, not a welfare question. The rapid establishment of a child care program will be one of the most determining factors in our ability to maintain production schedules. It is incontrovertible that we have reached the limit of the usual labor reserve, yet we have production schedules that require constant addition to the labor force, not only to replace men going into the armed service, but a real increase in production force. This production has to be stepped up by opening up jobs to negroes and women. Much of this new labor force, the majority of it, according to the Federal census figures of October, 1942, will be women.

Whether you like the idea or not, gentlemen, women are in industry and will have to go into industry more rapidly. Anything which slows down their recruitment into industry or their performance once they are working actually hurts the war effort. Further, whether we like the idea or not, Federal census figures of October, 1942, in their special report on labor reserves show that most of the available women are unmarried women and women with older children, and the only reserve left is young women with young children.

The plain facts then demonstrate that these women will have to go into industry if we are not to endanger production. How many women workers have we added to production in Pennsylvania? There are at the present time, gentlemen, according to the United States employment figures, three hundred thousand new women war workers, and a certainty according to the Man-Power Commission and the United States Employment figures that by the end of the year the number must be six hundred thousand. This, gentlemen, is the number referring to Pennsylvania alone. Three-fourths of those will be mothers with young children. This has been established on the basis of Federal census reports and the State Council of Defense in its own statement.

Then, gentlemen, anything which delays the building of this female labor force disrupts production schedules, hurts the war effort and will be registered in American lives on far-flung battlefields a few months hence. What has been proven in England and the United States to be the chief cause for the delay of the entrance of women into industry is what House Bill 849 aims to prevent. It is a fact that women with children do not enter industry unless they have a means of providing care for their youngsters. It is a fact that makeshift methods of letting the children stop at grandmother's to visit or at an aunt's are either so unsatisfactory that won't use it, or if she does, it is so unsatisfactory that she concludes that taking days off to meet emergencies concerning her children is necessary. It is a fact, gentlemen, demonstrated by the British experience that the only way these women can be gotten into industry and kept there with uninterrupted performance is by providing a decent, legitimate and honest child care program.

Now, how does the administration through the Defense Council propose to solve this urgent war problem? Do they meet it by offering a program adequate to the war needs? Do they meet it by providing the legislation of financial scope and necessary type to provide for children of six hundred thousand new women war workers?

The kind of program they should offer is outlined in House Bills 41 and 42, which provide child care day centers to be paid by mothers, by the local community with state and federal aid. These centers would care for young school age children, and after school an additional community evening recreational program would be provided.

POINT OF ORDER

Mr. MAHANY. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Crawford will state his point of order.

Mr. MAHANY. Mr. Speaker, as I understand, the gentleman from Philadelphia, Mr. Levy, is now debating certain bills which he introduced. As I understand it, this debate should only be on House Bill 849, therefore, I believe the gentleman is out of order.

The SPEAKER. The point of order is well taken. The gentleman will confine himself to House Bill 849, Printer's No. 256.

Mr. LEVY. Mr. Speaker, in answer to the gentleman's objection, I want to say that I only made reference to the two bills that have been lodged with the committee since the beginning of the session, more of which the gentleman will hear about later, but suffice it to say the Council of Civilian Defense offers nothing. They accompany their authorizing measure House Bill 849 with an appropriation of one hundred and eighty-seven thousand dollars in their proposed budget. According to representation of this council, including Director Ralph Hutchinson in his speech in Harrisburg two weeks ago, he said that $187,000 is to be used for equipping 187 child care centers. Gentlemen, notice the amazingly small number of centers provided for, 187 centers for the entire state of Pennsylvania for children of 900 thousand women.

On the basis of the figures, 600,000 war working women by December of this year—the State Council of Defense and apparently the administration supporting it will provide care for only 10,000 children when the facts show that there will be an increase in industry of over 597,000 mothers alone. There, gentlemen, we are faced with cold figures, and I assert tonight that these figures are correct, and I defy the sponsor of the bill to refute them.

My conclusion, gentlemen, is therefore that the proponents of this bill who know the facts have, in order to save a few dollars on a child care program, preferred to risk endangering accomplishment of our production schedules. Furthermore, as a result of statemnets by the Defense Council officials this $187,000 is to be used only for the original equipment of child care centers. The only reason for such a limitation is that the forces behind this bill wish to prevent any state commitments for continued maintenance of these centers.

These officials, who apparently are the geniuses behind this beautiful piece of legislation have also stated in a speech, two weeks ago by Dr. Hutchinson, Director of the State Defense Council, that state contribution would be given for original equipment only when the local community was unable to pay in whole or in part. Therefore, a community has to be virtually without local resources for a child care program in order to secure state aid, and after having received this for initial equipment it will receive no aid for maintenance. I repeat gentlemen of the House, it will receive no aid for maintenance. I am actually forced to ask by virtue of statements made by Defense Council officials whether the local community actually will be prevented from seeking federal funds for maintenance in addition to being prevented from receiving state funds?

I want to interpose for a moment, gentleman, and announce to the House tonight that from a very conscientious and far-thinking friend I have secured from the Office of Civlian Defense their secret report to the Governor, the report that created House Bill 849. What does the Office of Civilian Defense say to the Governor on federal aid?

POINT OF ORDER

Mr. MAHANY. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Crawford will state his point of order.

Mr. MAHANY. Mr. Speaker, if there is any secret information between the Office of Civilian Defense and the Governor, would the gentleman have the right to divulge anything such as that on the floor of the House?

The SPEAKER. The Chair would inform the gentleman from Crawford, even though the Chair is a member of the Council of Defense, he has no knowledge of any of these secrets. The gentleman will proceed.

Mr. LEVY. Mr. Speaker, am I permitted to proceed?

The SPEAKER. The Chair has already so stated. The gentleman from Philadelphia will proceed.

Mr. LEVY. Pardon me, Mr. Speaker.

I want to bring to the attention of the Members of the House that when the Office of Civilian Defense sponsors House Bill 849 it does so under a cloud. I notice from House Bill 849 that there is no restriction in the bill to accept Federal aid, but there is a trick in the outpourings of the Office of Civilian Defense, because in a report to the Governor which was never made public, and which created House Bill 849 they said

> "And eventually something should be provided by the State in order to deflect our communities from turning to the Federal Government and bringing in Federal aid."
>
> "The danger," says the report, "in Federal aid is that it will be used for the maintenance of these centers and then will be dropped into the lap of the state at some later time."

I ask you gentlemen of the House tonight, is this the language of a conscientious bureau of a State Department in war time? Is this the answer of the Office of Civilian Defense to the crying need all over the Commonwealth of Pennsylvania for the care of the little tots while their mothers proceed to go into the factories of the Commonwealth of Pennsylvania?

I wonder why the Office of Civilian Defense did not make this public? I think I know the reason why. Most of you gentlemen probably are aware that in the United States Congress, passed by both Democrats and Republicans, is the Lantham Act, begging the state and local communities to take Federal moneys. They changed the wording of the act, sensing the emergency, from fifty percent of contribution to one hundred percent of contribution, and this bureau, this legitimate Office of State Defense, sets itself up as the criterion as to whether or not the local communities throughout the state should delve into the problem of accepting Federal aid for small children.

I say to you, gentlemen, if House Bill 849 is the creation of a bureau by such an agency, I say it is a fraud on the Commonwealth of Pennsylvania. I say we as a Legislature, heard tonight a bill passed on second reading where the sponsor of the bill, a Republican, was asked if the bill carried Federal contributions, and he said yes, Federal contributions for highways, Federal contributions apparently for roads in the Commonwealth of Pennsylvania, but the Republican party stands condemned tonight in its report by its own Office of Civilian Defense in begging the Governor to refuse, absolutely refuse, one penny of Federal funds for tiny children. Mr. Speaker, not only in financial provision but in scope this bill reflects the same narrow, short-sighted approach to the war effort, and in Pennsylvania's cooperation with the Federal government, as the reekings of the Governor of Pennsylvania when he said we must stop accepting Federal moneys.

This bill limits child care of children to war workers only. The gentlemen will recall in the House when this bill was on second reading, I asked the sponsor of the bill whether a young mother whose husband is deceased and who works in an industry probably not closely associated with the war effort, but germane to the war effort, whether she would come under the classification of war worker. He said he would say she did, but I will say to you gentlemen that the courts would say she did not. Proper fulfillment of production schedules is directly dependent upon successful replacement at this time. Children of these women would be excluded in this bill. This limitation would be to a great degree an exclusion of negro children from such added child care centers, since so many negro mothers are engaged in domestic work, so in addition to doing nothing as a State to stop discrimination by employers which prevent so many negro women from entering industry, we now have an officially sponsored proposal which will exclude the mass of their children from child care centers.

Gentlemen, I want an answer to that charge. I saw that bills which set up conditions which slap our negro citizens doubly hurt the war effort. All of us are much concerned, I presume, as to the winning of this war with the least cost of lives and in the shortest possible time. On questions that have been vital to war production, however, we can recall how not too recently selfish interests delayed complete conversion from civilian to war production many, many months, so I say, gentlemen, just as short-sightedness in industry during the conversion period delayed our production schedules, so this short-sighted child care policy of the State Defense Council is a threat to production schedules in the immediate future. It is therefore urgent that this policy be changed immediately. It is essential that there be an opportunity for more adequate legislative discussion of a child care program. Our great industrial communities, their war workers and their organization which because of their close ties with production and to the people engaged in production have a proper understanding of wartime child care needs, particularly must be given an opportunity in a public hearing to state the problem and the solution as they see it. Let us insure now first by recommitting this bill 849 for further study and by calling for a hearing on child care that we establish a child care program which will be an aid to Victory.

MOTION TO RECOMMIT

Mr. LEVY. I move, Mr. Speaker, that House Bill 849, Printers' No. 256 be recommitted to the Committee on Education for proper study and for the purpose of a public hearing.

On the question,

Will the House agree to the motion?

Mr. MAHANY. Mr. Speaker, the gentleman from Philadelphia has brought out many of these statements before on debate for recommittal on first and second reading of this bill, so therefore I am not going to answer them any more than I have answered them before, that the committee which reported this bill out gave it proper study and reported it out, and I believe it is up to the membership of this House to decide whether they want this bill enacted into law or not.

There is nothing further that this committee can do with relation to this bill on recommittal. However, I do want to answer one objection which the gentleman brought out, and that is that the bill does not provide for negro children.

So that there would be no doubt relative to the acceptance of negro children because of race, creed or color, Mr. Brown and I formulated an amendment which was presented and agreed to, which provided that no child shall be excluded from one of these centers by reason of race, color or creed. When Mr. Levy states that a great number of negroes are employed as domestics and not many proportionately in war industry, I wonder whether the gentleman knows the figures on that. Of course I haven't any definite figures, but I do know from observation that a great many negro people are engaged in war industry. It was our privilege to visit the Middletown Air Depot the other day, and we saw negro women engaged there, doing a splendid work for defense and any of these women who have children at home could now take them, if this bill were enacted into law and these centers put up, could be taken to these centers and their children provided for adequately, and their conduct taken care of, and they would be just as safe as any white child or a child of any other color.

I think the gentleman is trying to bring in something that is not there, by saying that I or the State Council of Defense or anyone else that had any connection with this bill tried to provide that the negro children would not be adequately taken care of.

I can tell him and vouchsafe that no such idea was considered at all, and so far as the color of the people doing domestic work is concerned, I can tell him that in my section of the country there are more white people doing domestic work than colored people, so that I think his objection is not well founded.

I do not see, how anything more can be brought out than has been brought out by the able arguments of the gentleman from Philadelphia on the floor of the House and I do not see how the committee can bring out anything further relative to the objections of the gentleman from Philadelphia. So I ask the members of the House to vote against the motion to recommit.

Mr. LEVY. Mr. Speaker, in furtherance of my motion to recommit, I want to inform the House tonight that the argument of Mr. Mahany against the motion is the soundest argument for the motion. As you will recall gentlemen, House Bill 849 was introduced on March 1 House Bill 849 was reported from the Committee o State Government March 23, three whole legislative days after the bill was introduced. In addition, gentlemen let me point out that House Bill 849 was reported ou of Committee and on the floor of this House before th bill was in print and available to the membership this House, whether Democratic or Republican.

And again, Mr. Speaker, if that is the attitude th sponsor of this bill is going to take on wartime legisla tion, when I recall only a few weeks ago we debated fo two hours the proposition of whether or not we were going to permit a drug association to sell books to its members in war times, then I say, gentlemen, the words of Governor Martin were meaningless. The words of Governor Martin—

The SPEAKER. The Chair insists that the gentleman confine his argument to the question on the motion to recommit the bill.

Mr. LEVY. Thank you, Mr. Speaker.

In addition, Mr. Speaker, one other argument for the recommittal of this bill. The Chairman of the Committee on Young People in War Time in Philadelphia, Associate Professor of Philosophy and Psychology at the University of Pennsylvania made a statement to the Philadelphia Inquirer last Saturday in which he denounced House Bill 849 as an inadequate and ambiguous piece of legislation, and in furtherance he sent the following letter to the Governor of the Commonwealth—Gentlemen, I regret that I do not have that letter, but I do have the answer from the Governor to him, I beg your pardon. The answer of the Governor to Dr. Pearson was this, and I quote:

> Dear Dr. Pearson, your wire of March 31 relative to House Bills 41 and 42 relating to child care—

The SPEAKER. Will the gentleman please confine his remarks to the question before the House which is on the motion to recommit.

Mr. LEVY. Mr. Speaker, the Governor says in this letter:

> All of these matters of child care are having my most careful attention. If you will contact either of the chairmen of the House that have precedence over these child care bills I am sure your request for a public hearing will be granted. Very sincerely yours, Edward Martin, Governor of the Commonwealth.

Gentlemen of the majority, that is the attitude of your Governor on child care. Are you going to adopt a poor substitute? You are going to adopt a compromise with victory if you pass House Bill 849. I ask that we recommit it to the Committee on Education for a public hearing and proper study?

Mr. CULLEN. Mr. Speaker, I think this is a very good reason I am going to offer for the recommittal of the bill. We have two organizations in my district who request that any time child welfare comes before the body that a public hearing be granted, so they can present their side, and if for no other reason I think that is a good, legitimate reason for recommitting the bill.

Mr. LEONARD. Mr. Speaker, this is a very important bill. It affects every mother, father and the children of those mothers and fathers who are giving their every effort to win this war. The least that we could do, as Members of this Legislature, in my opinion, is to get their reaction to the intent and purpose of this bill. They are the people who will be supervised by it if it becomes law. If we want their cooperation, which we will need, doesn't it sound logical that they should have at least an opportunity to express themselves? I am asking the House to support the motion for a public hearing.

Mr. SAMUEL ROSE. Mr. Speaker, I have listened to the debate on this bill and I have listened to Mr. Levy's motion to recommit the bill. I listened with extreme interest to his reading of the letter from Governor Martin. I recall when we started this session—

The SPEAKER. Will the gentleman please confine his remarks to the motion to recommit the bill?

Mr. SAMUEL ROSE. Mr. Speaker, I am discussing the motion to recommit, and giving a reason why I think this bill should be recommitted to committee.

As I said, Mr. Speaker, when this session commenced Governor Martin, I think, aroused the cooperation of every Member of this House when he said that he was interested in putting over a win-the-war program. I sat here through many sessions since this session commenced, and I have seen very few bills come out that would attain that particular end. However, in his child care program we have finally gotten something that will go a long way toward helping produce the planes, tanks, and ships that are necessary to bring this terrible war to an end pretty soon. Governor Martin, who I am sure every Member of the House feels is interested in bringing this war to a successful conclusion soon, has indicated in this letter to Professor Pearson that this bill should be referred back to committee, or he has indicated indirectly at least that it should be referred back for a public hearing, I think that all the Members of the House should cooperate with the Governor and vote to recommit the bill.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Levy and Mr. Cullen and were as follows:

YEAS—72

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Flynn,
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hoopes,
Kirley,
Kolankiewicz,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. B.,
Reynolds,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

NAYS—118

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brunner, C. H.,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hunter, W. M.,
Hunter, B. F.,
Huntley,
Imbrie,
James,
Jones,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reese, D. P.,
Rose, W. B.,
Rowley,
Royer,
Salus,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Wood, L. H.,
Wood, N.,

Figlock,
Flack,
Fleming,
Fox,
Kennedy,
Kline,
Kowalski,
Krepps,
Reilly,
Riley,
Robertson,
Root,
Worley,
Yeakel,
Fiss,
Speaker.

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMITTEE MEETINGS

There will be meetings of the Committees on:

Cities—First Class, Tuesday, April 6, at 12:30 p. m. Room 521.

Corporations and Industry, Tuesday, April 6, at 10:30 a. m. Room 323.

Counties, Tuesday, April 6, at 10 a. m. Room 522.

Education, Tuesday, April 6, at 11 a. m. Room 324.

Federal Relations, Tuesday, April 6, at 12:45 p. m. Room 325.

Highways, Tuesday, April 6, at 11:30 a. m. Room 329.

Judiciary General, Tuesday, April 6, at 11 a. m. Room 325.

Law and Order, Tuesday, April 6, at 12 Noon. Room 325.

Mines and Mining, Tuesday, April 6, at 11:30 a. m. Room 323.

Motor Vehicles, Tuesday, April 6, at 12 Noon. Room 329.

Public Utilities, Wednesday, April 7, at 10:30 a. m. Room 323.

State Government, Tuesday, April 6, 12:30 p. m. Room 324.

Ways and Means, Tuesday, April 6, at 11 a. m. Room 327.

Welfare, Tuesday, April 6, at 10 a. m. Room 330.

There will be a Public Hearing before the Committee on House Bill No. 757 on Tuesday, April 6, 1943, in the Old House Caucus Room.

ADJOURNMENT

Mr. TATE. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 6, 1943, at 1 p. m.

The motion was agreed to, and (at 12:52 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

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SENATE

TUESDAY, April 6, 1943.

The Senate met at 3:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D.D., offered the following prayer:

Almighty and ever-merciful God, we stand in Thy presence with bowed heads and pray for worshipful hearts. Unless our hearts be right our devout attitude will mean nothing.

Help us to have a true conception of God, and what should be our relation to Him. We can see Thy power in the physical world. The fact of Thy power in our lives is just as evident. May we bring ourselves into harmony with that power. Only thus can we become co-workers with God.

We believe that all who are doing their best in any department of the world's activity are Thy co-workers. Help us to win a place beside Thee by our service to the Commonwealth. May all laws here enacted be consistent with God's eternal law of right.

May the divine blessing rest upon the Senators and their families, and upon all our executives and administrators, civil and military.

In the name of the glorified Christ. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. EDMONDS the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. ZIESENHEIM.

COMMITTEE OF CONFERENCE APPOINTED, SENATE BILL No. 133

The PRESIDENT. The Chair anonunces that the President Pro Tempore has appointed a Committee of Conference on Senate Bill No. 133 to confer with a similar committee on the part of House (if the House shall appoint such a committee), composed of the gentleman from Clearfield, Senator Letzler, the gentleman from Cumberland, Senator Wade and the gentleman from Cambria, Senator Haluska, on which the Senate insists on its non-concurrence in House amendments.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 213, entitled:

An Act to further amend the third paragraph of section one thousand four hundred and thirteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the provisions for the education of physically and mentally handicapped children.

House Bill No. 34, entitled:

An Act to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," by providing that employes on retirement for superannuation who return to active school service during the present war shall not, upon return to retirement, receive any smaller allowance than that received prior to return to active school service.

House Bill No. 114, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given.

House Bill No. 230, entitled:

An Act to amend section two of the act approved the twenty-second day of May, one thousand nine hundred thirty-five (P. L. 228), entitled "An act concerning declaratory judgments, and decrees, and to make uniform the law relating thereto," making further provision for the service and return of petitions for declaratory judgments.

House Bill No. 504, entitled:

An Act providing that persons in the armed forces and merchant marine of the United States and its allies may renew licenses or certificates to engage in professions and occupations after discharge from military service.

House Bill No. 475, entitled:

An Act to further amend section twenty-five of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1237), entitled "Divorce Law," by providing that in the case of any spouse on active duty in the armed service of the United States in time of war, the affidavit accompanying his or her libel in divorce may be taken, within or without the Commonwealth, before any commissioned officer authorized by act of Assembly to act as a notary public.

House Bill No. 60, entitled:

An Act to further amend sections two thousand six hundred twenty and two thousand six hundred twenty-five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "Public School Code," by providing for the filing of copies of auditors' reports in school districts of the third and fourth classes.

House Bill No. 105, entitled:

An Act to reenact and amend the title of, and the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2611), entitled "An act authorizing political subdivisions, other than cities of the first class, to set-off delinquent taxes and municipal claims and penalties, interest, and cost due thereon, against claims and accounts due by such political subdivisions," extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions.

House Bill No. 138, entitled:

An Act to further amend section seven of the act approved the second day of May one thousand eight hundred eighty-nine (P. L. 66) entitled "An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same" by providing that any number of items paid into or deposited in the custody or under the control of any court of the United States in and for any district within this Commonwealth or in the custody of any depository registry or of any receiver clerk or other officer of any of said courts may be joined in one petition of escheat.

House Bill No. 473, entitled:

An Act to repeal the act, approved the twenty-seventh day of February, one thousand eight hundred seventy-two (P. L. 179), entitled "An act to provide for the more economical collecting of state, county, poor and military taxes in the county of Huntingdon."

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGE

TIME OF NEXT MEETING

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 5, 1943.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday evening, April 12, 1943, at four o'clock, and when the House of Representatives adjourns this week, it reconvene on Monday evening, April 12, 1943, at nine o'clock.

REPORTS FROM COMMITTEES

Mr. WADE, from the Committee on State Government, reported as amended, Senate Bill No. 266, entitled:

An Act to provide for the publication of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports conferring powers and imposing duties on the State Reporter the Department of Property and Supplies and the Secretary of the Commonwealth providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof and repealing certain acts and parts of acts.

BILL RE-REFERRED

Mr. HOMSHER, from the Committee on Welfare, Public Assistance, and Pensions, reported as committed, Senate Bill No. 236, entitled:

A Supplement to the act, approved the twelfth day of June, one thousand nine hundred and thirty-nine (P. L. 335), entitled "An act creating a temporary commission to examine, report upon, and recommend measures to improve the economic, cultural, health and living conditions of the urban colored population of the State, and making an appropriation of the expenses of such commission," by extending the term of such commission until the next regular session of the General Assembly, and making an appropriation

which was re-referred to the Committee on Appropriations.

Mr. JASPAN, from the Committee on Welfare, Public Assistance and Pensions, reported as committed, House Bill No. 72, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven, (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," providing for the divestiture of judgments obtained thereunder by tax sales heretofore or hereafter made.

Mr. McCREESH, from the Committee on Law and Order, reported as committed, Senate Bill No. 127, entitled:

An Act permitting certain organizations to conduct the playing of the game of bingo under certain circumstances; providing for the issuance, suspension and revocation of licenses therefor and for payment of a registration fee, and providing penalties.

Mr. SHAPIRO, from the Committee on Welfare, Public Assistance and Pensions, reported as committed, Senate Bill No. 88, entitled:

An Act to further amend section two and clause (d) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance, providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and County boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions, for the blind, old age assistance, and the State Emergency Relief Board," discontinuing the requirement that in ceretain cases when relief is given milk orders shall be included in such relief.

He also, from the Committee on Welfare, Public Assistance and Pensions, reported as amended, Senate Bill No. 166, entitled:

An Act to amend the title and section three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by extending certain responsibilities of said act to the support of all indigent persons, whether or not they are publicly cared for or assisted.

Mr. THOMAS, from the Committee on County Government, reported as amended, Senate Bill No. 246, entitled:

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years, and validating the lien of such taxes.

Mr. GOURLEY, from the Committee on Law and Order, reported as committed, House Bill No. 228, entitled:

An Act to further amend section four hundred ten of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by postponing the time for the taking effect of orders of the Pennsylvania Liquor Control Board; suspending or revoking licenses for a period of twenty days during which time the licensee may take an appeal.

Mr. MALLERY, from the Committee on Corporations, reported as committed, Senate Bill No. 478, entitled:

An Act to amend section two of the act, approved the second day of June, one thousand eight hundred and eighty-three (P. L. 61), entitled "An act supplementary to an act, entitled 'An act for the incorporation and regulation of corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, authorizing the incorporation of pipe lines for the transportation of petroleum, and providing for the exercise of the right of eminent domain in taking lands and property for such purposes," by enlarging and extending the powers of such companies including the acquisition and disposition of franchises, shares of stock and property of such companies in this and other states, the distribution and storage of oil and petroleum products, the use of connecting lines and equipment of other companies and producers and refiners, the construction and maintenance of connecting pipe lines or branches, pumps, tanks and other equipment within and without the State; extending the power of eminent domain; preserving the jurisdiction of the Pennsylvania Public Utility Commission; and regulating the laying of pipes by such companies and by foreign companies including companies incorporated under the Act of Congress, and the erection and protection of storage tanks.

Mr. CARR, from the Committee on Public Health, reported as amended, Senate Bill No. 244, entitled:

An Act reducing for a limited period of time the training period of interneship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Exaxmining Board to practice major surgery and suspending inconsistent laws.

BILLS INTRODUCED AND REFERRED

Mr. FARRELL (by request) read in his place and presented to the Chair, Senate Bill No. 508, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employees in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating the State Board of Barber Examiners as a departmental administrative board in the Department of Public Instruction.

Which was committed to the Committee on Education.

He also (by request) read in his place and presented to the Chair, Senate Bill No. 509, entitled:

An Act to further amend section thirteen of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety, by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers, and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by enlarging the power of the department in the refusal, revocation or suspension of licenses.

Which was committed to the Committee on Education.

He also (by request) read in his place and presented to the Chair, Senate Bill No. 510, entitled:

An Act to amend the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by providing for further regulation by municipalities.

Which was committed to the Committee on Education.

He also (by request) read in his place and presented to the Chair, Senate Bill No. 511, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred and thirty-one (P. L. 589), entitled, as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by changing the provisions as to fees charged apprentices and students; requiring all barber shops to be registered; transferring the administration of certain provisions of said act to the State Board of Barber Examiners and prescribing additional penalties.

Which was committed to the Committee on Education.

He also (by request) read in his place and presented to the Chair, Senate Bill No. 512, entitled:

An Act to further amend section nine of the act, approved the nineteenth day of June, one thousand nine hundred thirty-one (P. L. 589), entitled as amended "An act to promote the public health and safety, by providing for the examination and licensure of those who desire to engage in the occupation of barbering; regulating barber shops and barber schools, and apprentices and students therein; regulating compensation for service rendered; conferring certain powers and duties on the Department of Public Instruction; and providing penalties," by prohibiting any form of advertising by barbers.

Which was committed to the Committee on Education.

Mr. MALLERY read in his place and presented to the Chair, Senate Bill No. 513, entitled:

An Act requiring county boards of elections to file with the Department of Internal Affairs, certain reports of the results of municipal elections.

Which was committed to the Committee on Elections.

Mr. JONES (by request) read in his place and presented to the Chair Senate Bill No. 514, entitled:

An Act to amend sections one and seventeen of the act, approved the thirty-first day of May, one thousand nine hundred and thirty-three (P. L. 1108), entitled "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class; defining the powers and duties of civil service commissioners for such purposes; and fixing penalties," by eliminating from the act second class cities and the exception of the chief and deputy chiefs of fire departments in cities of the third class.

Which was committed to the Committee on Municipal Government.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 515, entitled:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood, in said county, during the month of May, one thousand nine hundred forty-two.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 516, entitled:

An Act authorizing during the continuance of the present war and for a period thereafter the employment of certain minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment.

Which was committed to the Committee on Labor and Industry.

Mr. THOMAS read in his place and presented to the Chair Senate Bill No. 517, entitled:

An Act to further amend section ten of the act, approved the twenty-ninth day of May, one thousand eight hundred and eighty-five (P. L. 29), entitled "An act to provide for the incorporation and regulation of natural gas companies," providing that natural gas companies shall have the right of eminent domain for the storage of natural gas and manufactured fuel gas beneath the surface of any lands situate within the territotry of production, pipe lines, or of supply of such corporation.

Which was committed to the Committee on Corporations

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 518, entitled:

An Act to amend section one hundred and one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and pharses when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" defining certain additional words and phrases when used in statutes.

Which was committed to the Committee on Judiciary Special.

Mr. SNOWDEN read in his place and presented to the Chair Senate Bill No. 519, entitled:

An Act establishing as state highway certain county highways, and requiring their construction, repair, and maintenance as such.

Which was committed to the Committee on Highways.

Mr. BARR read in his place and presented to the Chair Senate Bill No. 520, entitled:

An Act making an appropriation to the Woman's Hospital of Pittsburgh, Pennsylvania.

Which was committed to the Committee on Appropriations.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 6, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Gertrude G. Curra, Duquesne.
Vincent T. Doyle, Sr., Pittsburgh, 205 City-County Bldg.
Edward D. Hogan, Brentwood.
Miss Yetta Middleman, Pittsburgh, 15 Fernando St.

COLUMBIA COUNTY

Paul E. Ward, Bloomsburg.

FAYETTE COUNTY

Miss Jessie M. Darrall, Uniontown.

LEHIGH COUNTY

Miss Katharine A. Hildenberger, Allentown.

NORTHAMPTON COUNTY

Michael E. Falcone, Roseto.

PHILADELPHIA COUNTY

Miss Evelyn D. Brown, Phila., 1601 Finance Bldg.
Eugene J. Hagerty, Phila., 1616 W. Cumberland St.
Richard Hill, Jr., Phila., 1260 South 22d St.

WASHINGTON COUNTY

Mrs. Mildred A. Allen, Monongahela.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 6, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

Miss Nellie B. McPoland, Pittsburgh, 1829 Chislett St., April 12, 1943.

LANCASTER COUNTY

Lyte O. Buch, Ephrata, April 12, 1943.

MIFFLIN COUNTY

Howard E. Stine, Lewistown, April 16, 1943.

NORTHAMPTON COUNTY

Miss Helena P. Hoere, Bethlehem, April 17, 1943.

WASHINGTON COUNTY

Thos. H. Warrensford, Charleroi, April 19, 1943.

DELAWARE COUNTY

Robert G. Kinsley, Upper Darby Twp., 120 Summit Ave., Upper Darby, April 20, 1943.

WASHINGTON COUNTY

J. M. Colaizzo, Canonsburg, April 22, 1943.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,
Woodward,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RESOLUTION RECALLING SENATE BILL No. 135, PRINTER'S No. 51, FROM THE GOVERNOR

Mr. CROWE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE, offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 6, 1943.

Resolved (if the House of Representatives concur), That Senate Bill No. 135, Printer's No. 51, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will proceed.

Mr. SHAPIRO. Mr. President, has there been reported today Senate Bill No. 246 from the Committee on County Government?

The PRESIDENT. Has there been, did the gentleman say?

Mr. SHAPIRO. Yes, sir.

The PRESIDENT. Yes, there has.

Mr. SHAPIRO. I desire to inquire from the Chairman of that Committee when the Committee met and acted on that bill?

The PRESIDENT. Will the Chairman of the Committee answer the question of the gentleman from Philadelphia? Who reported the bill?

Mr. SHAPIRO. Senator Thomas.

The PRESIDENT. Senator Shapiro, Senator Thomas is not present, so, your question will have to go unanswered for the present.

Mr. SHAPIRO. Mr. President, for the record, I should like to state that I am told by three members on this side who are members of that Committee—I am not a member of the Committee—that they had never received any notice of a meeting of that Committee.

I notice from my Calendar, and that is what directed my attention to it, on the notice of committee meetings received by me, that the Committee Chairman has not notified any one of the men on that committee, that they never had a meeting yesterday nor last week, and I notice that this bill comes out apparently today, and I have been told by the three members to whom I have just referred that they know nothing of a meeting and that they never attended a meeting and that is the reason for my inquiry.

Mr. President, I notice that the gentleman from Dauphin, Mr. Taylor, has just entered the room. I would like to interrogate the gentleman from Dauphin, Senator Taylor.

The PRESIDENT. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. TAYLOR. I will, Mr. President.

Mr. SHAPIRO. Will the gentleman from Dauphin state when the Committee on County Government had its last meeting.

Mr. TAYLOR. Why does the gentleman from Philadelphia ask the question?

Mr. SHAPIRO. To find out when they had a meeting.

Mr. TAYLOR. In connection with Senate Bill No. 246, the gentleman from Cumberland, Senator Wade, asked me if it would be possible to have that bill reported from Committee and I suggested that he poll the committee and advised the gentleman from Cumberland that if a majority of the Committee reported favorably on the bill, it would be satisfactory to me. The gentleman from Cumberland polled the Committee and advised me that a majority of the members of the Committee were agreeable to reporting the bill out.

Mr. SHAPIRO. Mr. President, I ask the gentleman from Dauphin to state whether he knows that the three Democratic members on this side of the Senate who are members of that Committee were not told and knew nothing about the fact that the bill was to be reported out. I am asking whether the gentleman from Dauphin knows that to be a fact.

Mr. TAYLOR. Mr. President, I accepted the word of the gentleman from Cumberland, as I shall always be glad to accept his word.

Mr. SHAPIRO. I am not questioning that, Mr. President, but as a matter of fact, the gentleman from Dauphin does not know that the members were polled.

Mr. TAYLOR. I am sure they were polled, Mr. President, as the Senator from Cumberland told me.

Mr. SHAPIRO. All right; I will let them speak for themselves.

PERMISSION TO ADDRESS SENATE

Mr. McGINNIS asked and obtained unanimous consent to address the Senate.

Mr. McGINNIS. Mr. President, in our Caucus this afternoon there were some bitter complaints about the conduct of committees during this session. There were complaints that bills came on this floor from committees that have never held meetings, bills have been turned down in committee which suddenly appeared on this floor. Every bill that appears on this floor should have two studies, it should have study in committee and it should have study here. If a bill is thrown out of committee without a meeting, or, after a bill is voted down in committee, that is not according to the rules, it is not fair to the people back home, it is not fair to this Senate, it is not an orderly or correct way to have bills reported out and passed in this Senate, and from now on that practice should be stopped.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 238, entitled:

An Act to amend sections four and six of and to add section 7.1 to the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 641) entitled "An act providing for the eradication of mosquitoes authorizing the establishment of county mosquito extermination commissions after popular referendum and the appointment of their members by the county commissioners prescribing the powers and duties of such commissions" providing that the Secretary of Agriculture cooperate with and be a member ex-officio of the county mosquito extermination commissions prescribing powers and duties of the Secretary of Agriculture and said commissions providing that costs of abating nuisances from breeding of mosquito larvae may be assessed against lands where breeding exists and providing that said act shall not apply to counties of the first class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four and six of the act approved the tenth day of July one thousand nine hundred thirty-five (P. L. 641) entitled "An act providing for the eradication of mosquitoes authorizing the establishment of county mosquito extermination commissions after popular referendum and the appointment of their members by the county commissioners prescribing the powers and duties of such commissions" are hereby amended to read as follows

Section 4 (a) The Secretary of Agriculture of the Commonwealth of Pennsylvania is hereby authorized and empowered to cooperate with and assist each mosquito extermination commission in the effective carrying out of its plans and work He shall be a member ex-officio of each such commission and may authorize a deputy to attend its meetings as his representative He and his said deputy shall serve without compensation except that the necessary expenses actually incurred by them in the attendance of meetings of said commissions shall be allowed and paid by the Commonwealth as a part of the expenses of the Department of Agriculture He shall furnish the said commissions with such surveys maps information and advice as they may require for the prosecution of their work or as in his opinion will be of advantage in connection therewith

(b) The mosquito extermination commission acting as an agency of the county under the authority of the county commissioners shall have power to eliminate all breeding places of mosquitoes on private or public property within the county for which such commission is appointed and to do and perform all acts including [the right to enter] entry upon private or public property and to carry out all plans which in the opinion and judgment of such commission may be necessary or proper for the elimination of breeding places of mosquitoes or which will tend to exterminate mosquitoes within said county

(c) Any water in which mosquito larvae breed is hereby declared a public nuisance and subject to abatement as such Whenever any such breeding place exists on any lands in the county which should in the opinion of the mosquito extermination commission be abated the commission shall in writing order the owner or owners of such lands to abate the same within a reasonable period and in a manner to be specified in such order If at the expiration of such period such order has not been complied with or if the owner or owners of [the land] such lands cannot be ascertained or found the commission shall at once abate said nuisance and may assess all or part of the cost of such abatement against the lands on which such breeding place exists The commission may file municipal liens for said assessments within the time and in the manner provided by law the same to be subject in all respects to the general law providing for the filing and recovery of municipal liens

Section 6 (a) Each mosquito extermination commission shall on or before the first day of November in each year submit to the Secretary of Agriculture a detailed estimate of the money required for the ensuing year and a plan of the work to be done and the methods to be employed The Secretary of Agriculture shall have power to approve modify or alter such estimates plans and methods but not to increase the amount of money estimated to be required therein without the approval of the county commissioners of the county and the estimate plan and method finally approved by him shall be by him forwarded to the county commissioners of the county on or before the first day of February following its receipt

(b) The county commissioners shall have power and it shall be their duty to appropriate annually [such] for the use of the commission the amount of money [as shall be agreed upon by the mosquito extermination commission and the county commissioners] so approved by the Secretary of Agriculture Provided That in no year shall the amount so appropriated exceed one-fourth of one mill on each dollar of the assessed value of taxable real estate in the county The sum so appropriated or so much thereof as may be required shall be paid out from time to time by the county treasurer on the orders of the county commissioners

(c) It shall be the duty of each mosquito extermination commission annually on or before the first day of February of each year to submit to the Secretary of Agriculture and to the county commissioners of the county a report setting forth the amount of moneys expended during the previous year the methods employed the work accomplished and any other information which in its judgment may be pertinent

Section 2 Said act is hereby amended by adding thereto after section seven a new section to read as follows

Section 7.1 This act shall not apply to counties of the first class

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Homsher,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 11, entitled:

An Act to amend section eighteen of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" authorizing vacation of parts of public roads where termini of remaining parts of road are not in public highway or place of public resort

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eighteen of the act approved the thirteenth day of June one thousand eight hundred thirty-six (P. L. 551) entitled "An act relating to roads highways and bridges" is hereby amended to read as follows:

Section 18 The courts aforesaid shall within their respective counties have authority upon application to them by petition to inquire of and to change or vacate the whole or any part of any private or public road which may have been laid out by authority of law whenever the same shall become useless inconvenient or burdensome [and the] notwithstanding the fact that the vacation of a part of a public road results in leaving the remaining part or parts of the road with one of its termini at a point other than in a public highway or place of public resort Provided That the other terminus of each of the remaining parts of the road is in a public road and that each remaining part of the road is necessary for public travel or for the use of a property owner or owners located on such remaining part The said courts shall proceed therein by views and reviews in the manner provided for the laying out of public roads and highways

Section 2. The provisions of this act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 17, entitled:

An Act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions, and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor; imposing certain duties on the State Employes' Retirement Board, and the actuary thereof; providing the procedure whereby political subdivisions may join such system, and imposing certain liabilities and obligations on such political subdivisions in connection therewith, and as to certain existing retirement and pension systems and upon officers and employes of such political sub-divisions; providing certain exemptions from taxation, execution, attachment, levy and sale; and making an appropriation.

On the question,

Will the Senate agree to the bill on third reading?

Mr. COLEMAN. Mr. President, last week I offered amendments to Senate Bill No. 17 which would eliminate the political sub-divisions from the administrative expense section of the bill and I neglected to amend three sections which contained the same provision.

I now ask unanimous consent to offer the following amendments to take care of that omission.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend section 3, page 5, lines 13, 14 and 15, by striking out the following: "to be payable from municipal contributions for administrative expenses". Amend section 3, page 5, lines 21 to 23 both inclusive, by striking out of all said lines. Amend section 6, page 8, lines 3 and 4, by striking out the following: "including costs of administration."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

REQUEST THAT BILL GO OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 18, on third reading, entitled:

An Act relating to parole; abolishing the Pennsylvania Board of Parole; reestablishing the jurisdiction, powers and duties of the courts and of the Board of Pardons with respect to parole; and authorizing the employment by the Attorney General of a Supervisor of Paroles and field agents

go over in its order.

The PRESIDENT. Is there objection?

Mr. COX. Mr. President, I object. I would like to interrogate the gentleman from Delaware.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated.

Mr. HEYBURN. Yes indeed, Mr. President.

Mr. COX. I would like to ask the Senator from Delaware his reason for requesting that Senate Bill No. 18 go over in its order.

Mr. HEYBURN. Mr. President, there are further studies being made for a plan for parole after this bill is passed, if it is passed—in any event, as to such amendments either to the present act or to the old act, as the necessity may be.

Mr. COX. Mr. President, in answer to the answer of the Senator from Delaware to my interrogation, after a very careful study of this ripper, it is apparent to me that it would be impossible to amend it. If there are any defects in the Parole Act, and I presume that there are defects in the Parole Act, those defects should be taken care of in an entirely different manner and on the basis of other bills containing amendments which could be offered to the Parole Act.

This act, which we call a parole ripper, is a symbol of a deliberate attack on the whole theory of parole supervision and the granting of paroles. It has been a focal point for the interest not only of the members of this Senate but of all the people of Pennsylvania, and I think that we who believe in supervision of parole who believe in the non-political granting of paroles, should have a right to decide this bill on the merits which it might have or not have, without there being any interjection of any other subject matter to becloud the issue, because the issue, when this bill comes up, is unquestionably only a question of whether you believe in a proper parole act or whether you do not.

Mr. WALKER. Mr. President, I would like to say to the gentleman from Allegheny, Senator Cox, that the requests to have this bill go over in its order that have been made during the last week or ten days have been largely instigated by a sub-committee from the Committee on Judiciary General, which committee had the bill originally, and this sub-committee is still studying the subject.

As the gentleman from Allegheny well knows, one of the best ways to endeavor to obtain crystallization of opinion of any legislative act is to have a fair, open discussion of all the proposed pieces of legislation.

When this bill came out of committee and appeared on the Calendar, it was as a result of two hearings that had been held by the committee and the accumulation of a large amount of data furnished to the committee, not only by the Parole Board but by a number of other institutions and associations and federations that were interested in the subject matter contained in the Parole Bill of 1941.

The members of this sub-committee have discussed this matter individually with quite a number of the members of the Senate, and there are a number of Senators whose opinions are still being weighed minutely and they are desirous of having additional time and additional information. Several suggestions have been made to the subcommittee which have seriously interested members of the committee in their attitude toward Senate Bill No. 18, and in preparation of the data and in an effort to determine a righteous conclusion on this bill.

Because I know my colleague from Allegheny, Senator Cox, is seriously interested in this vital subject, I am willing to assure him, and so are the members of the sub-committee that we are trying to earnestly solve this problem, but we do not want this bill acted on until we can have the opportunity to thoroughly and exhaustively benefit by research and every investigation possible in order to lay all the information available before the members of the Senate before the roll is called.

Therefore I suggest to the gentleman from Allegheny, in all seriousness and in an amicable spirit, that he withdraw his objection to the request that this bill go over in order, because we seek his cooperation in arriving at a righteous conclusion on this bill, just as he seeks ours.

Mr. COX. I know that my colleague from Allegheny, Senator Walker, at least I believe the Senator to be in accord with my position on this ripper bill and for that reason, because I am satisfied that he and his sub-committe mean well for the principle for which I have fought ever since the question of parole was first presented on the floor of this Senate, I am willing to accede to the request that Senate Bill No. 18 go over in its order.

I would like, however, to interrogate the Senator from Allegheny, Senator Walker.

The PRESIDENT. Will the Senator from Allegheny permit himself to be interrogated?

Mr. WALKER. Surely, Mr. President.

Mr. COX. Would the gentleman from Allegheny give the members of the Senate the names of the sub-committee of the Committee of Judiciary General who are studying the bill.

Mr. WALKER. Mr. President, I would be glad to submit the names of the sub-committee to the gentleman from Allegheny. However, it has been repeatedly suggested to me not to divulge the names because of the pressure that would be put upon them by interested active groups, and out of deference to the stress and the strain of trying to solve this problem, without being harassed by these pressure groups, I would much rather not divulge the names.

I will say to the gentleman, and give him my frank word, that there is a sub-committee working on this matter—I am not trying to avoid any issue—but I know that he appreciates the gravity of the situation and I would cheerfully furnish to him with the names of the members of the sub-committee excepting that I do not want them subjected to these pressure groups during this time of stress such a the Chairman of the Committee on Judiciary General has to take every twenty-four hours because of this bill.

Mr. COX. Mr. President, I further desire to interrogate the gentleman from Allegheny.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. WALKER. I will, Mr. President.

Mr. COX. Would the gentleman from Allegheny tell me when the members of this cub-committee were appointed.

Mr. WALKER. It has been suggested by my Floor Leader, for whom I have the highest respect, not only for his ability but also his sagacity, to say to the gentleman from Allegheny, Senator Cox, that the committee can not rightly be called a committee from the Committee on Judiciary General; it is a committee from the Republican Caucus. I am sorry. There are so many on it from the Committee on Judiciary General I thought that it was a sub-committee of the Committee on Judiciary General.

Mr. COX. Do I understand my colleague from Allegheny to say that it is not a sub-committee of the Committee on Judiciary General.

Mr. WALKER. I have just been so advised. I thought it was from the Committee of Judiciary General, but I discover it is a committee from the Caucus, and I accept that amendment and I am sorry my statement that it was a sub-committee from the Committee of Judiciary General has misled the gentleman.

Mr. COX. I think spectators should not render unfair assistance to the Senator in refreshing his memory as to where the committee came from.

I would also like to say to the Senator, due to the peculiar circumstances within the last several weeks, that people with whom I have had dealings have been so unwilling to have names recalled—several weeks ago when the Senator was interrogated and asked to name the persons on the payroll of the City of Pittsburgh who had been removed from their employment—the names of the protesting persons—the Senator advised me at that time that he thought, in order to protect them and give them additional job security, he should not divulge their names.

Mr. WALKER. Mr. President, that involved an entirely different subject. We have sitting in this Senate the Democratic County Chairman from Allegheny County and the Secretary of the Democratic County Committee from Allegheny County, and we also have a number of earnest statesmen from Allegheny County who are followers of the Democratic faith, and its political philosophy, and to divulge those names, as suggested by the gentleman from Allegheny, Senator Cox, is something I would not do.

However, Mr. President, that has nothing to do with the parole bill. I have tried to tell the gentleman a couple of times I know how he feels about the parole bill and if I had him now in the back of the Senate chamber, where we could speak confidentially, I would say "Johnny, just stay away from this thing a couple of days and we might get it worked out."

The PRESIDENT. Is there any objectin to the request that Senate Bill No. 18 go over in its order.

Mr. SHAPIRO. Mr. President, I do not object to this bill going over in its order, but now that I have heard about this sub-committee studying this bill, I think that it might be well for me, and I think I should have the right to make a few remarks—while I know it is out of order on a request that this bill go over in its order—but otherwise it would make it necessary for me to object and thereafter discuss the matter, so if there will be no objection I can say the same things now as I would say on objection to a motion to the bill going over in order.

I should like to point out a few things that are important—

The PRESIDENT. May the Chair point out to the Senator from Philadelphia that when this bill comes before the Senate, the Senator from Philadelphia will have ample opportunity to express his opinion at that time.

Mr. SHAPIRO. That may be so, Mr. President, but the Chair has learned, and so have the rest of the Senators, that there is a sub-committee consisting of Republicans who are going to study this bill.

I too have studied this bill and I think I am entitled to speak, as a member of this Senate, hoping my opinion on the matter would be considered before the sub-committee comes to a conclusion. There is no point in my discussing this matter after the committee has reached a conclusion without some information which I think would be important to the committee.

I had hoped that this was a sub-committee of the Committee on Judiciary General and therefore I could go before them, but since this is a committee from the Republican Caucus—and since 1936 I am not permitted to go into that Caucus any more—therefore I should like to point out a few facts.

It might interest this group to know that we on this side, and I say it seriously, in all kindness, we on this side feel that the so-called cooperation between both sides of the Senate, in the interest of the war, does not exist, and we feel, I personally feel, that on this particular matter, if there was a sub-committee appointed, that there ought to be somebody from our side on that committee.

We have expressed our feeling about the matter, and I disclose no secrets by saying that there was a resolution at our Caucus today appointing a committee of Democratic members from the Senate and Democratic members from the House to call upon the Governor and find out from him what he means and what is meant by this so-called cooperation—maybe after that we will get some co-operation.

In the interest of and for the benefit of this sub-committee studying this bill, I should like to make a few remarks and furnish them some information. I am afraid that this whole system of parole is being approached without a complete knowledge of the facts.

I do not hope to give, nor will I take the time now to give a complete knowledge of the facts, but in order to understand this, I would like to bring to the attention of the members of this committee some facts that I have gained from my own experience. I was fortunate enough to have been appointed an Assistant District Attorney in 1932, and I can give you first hand experience of the workings of parole and sentences at that time.

You know the parole system deals with two subjects, first the sentence and then the probation after sentence. During the time I was assistant district attorney I kept and have in my possession now, as I was fortunate enough to find a diary of 1932, which records every case that I tried in Room 653, which is the criminal court in the City of Philadelphia, and I was in the habit at that time, because of what was going on, to note what occurred in that court, and so I have in this diary a list of every case that I tried, the time which it took to try the cases, the amount of time that was spent in producing the evidence, the amount of time spent in presenting the facts to the jury by both counsels, the amount of time spent by the court in charging the jury, and the amount of time that was spent in sentencing, and I think that is one of the interesting things that those gentlemen who are now considering this parole law should know, because a great deal has been said here about judges being the proper persons to parole and sentence.

My experience of one year and this record proves the fact that the judges, with all due respect to them, are the last persons in the world, in my opinion, to either sentence or parole.

At the end of each week I made a summary of the work, and I would like to read to you the first week's summary, because I think that will make the picture plain of what I am trying to present to you.

There were some 70 cases tried. There were 54 convictions. The trials, convictions, and sentences of those 54 defendants took 32 hours and 22 minutes, which was divided as follows: those 32 hours of court room work were divided—and I am hoping that the Chairman of this sub-committee will listen to this because I know this and I am not making this statement for my own information; I am making it for the information of Senator Walker, who seems to have control—the arraignment of prisoners—Mr. President, I cannot compete with Republicans, either with their votes or with their voices; they have louder voices and more votes than I have.

The PRESIDENT. The Chair hears no voices.

POINT OF ORDER

Mr. HOLLAND. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. HOLLAND. Mr. President, the Senate is not in order; there is a conference being held here on the floor when a member of the Senate has the floor. He should be accorded the courtesy of at least listening to him.

The PRESIDENT. The Chair rules that the Senate is in order.

Mr. SHAPIRO. Mr. President, there were 32 hours, as I said, and 22 minutes in the disposition of those cases.

POINT OF ORDER

Mr. HENRY I. WILSON. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Jefferson will state his point of order.

Mr. HENRY I. WILSON. I raise the question that the gentleman from Philadelphia is not in order because he is not debating a question that is now before the Senate.

There is only one question before this body and that is whether this bill shall go over in its order. Day after day we have patiently listened to the people on the other side raising these questions as to whether the Governor is sincere, and as to whether the leader of the Senate is sincere, or whether the State Chairman is sincere, and hour after hour we come here at one o'clock—

Mr. COX. Mr. President—

Mr. HENRY I. WILSON. And, Mr. President, we sit here all day.

ORDER OF THE DAY CALLED

Mr. HENRY I. WILSON. I call for the order of the day.

The PRESIDENT. The Chair sustains the question raised by the gentleman from Jefferson.

And the question recurring,

Will the Senate agree to Senate Bill No. 18 going over in its order.

Mr. SHAPIRO. Mr. President, I object to this bill going over in its order.

The PRESIDENT. The gentleman from Philadelphia, has the right to so object.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 18, Printer's No. 110, go over in its order.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. SHAPIRO. When the Chair was about to put the motion, I tried to attract the attention of the Chair for the purpose of speaking on the motion. I am sure the Chair did not hear me, but I think in view of that circumstance, I am entitled to talk on the motion.

The PRESIDENT. The Chair, Senator Shapiro, has ruled that the motion was carried.

If the gentleman from Philadelphia, Senator Shapiro, wants to ask leave of the Senate, why, naturally, if the Senate has no objection the gentleman from Philadelphia will be permitted to state anything he desires.

Mr. SHAPIRO. That is not the point.

The PRESIDENT. The Chair has already ruled that the motion that Senate Bill No. 18 go over in its order was carried.

Mr. SHAPIRO. Do I understand the Chair to say he did not hear me request the privilege of the floor?

The PRESIDENT. Senator Shapiro, your ears are very good. You heard the Chair rule on the motion and you heard the Chair answer your question.

QUESTION OF PERSONAL PRIVILEGE

Mr. SHAPIRO. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. SHAPIRO. Mr. President, as a member of this Senate, on personal privilege, I hope that I have not seen the time arrive in this Senate when a Senator asks for the floor on a motion which is being put, that the motion will be put in such haste, in spite of a member of the Senate requesting permission to talk, that he will be precluded from talking.

In view of the fact that I was about to ask for the right to talk when the Chair was putting the question, on personal privilege, I now desire to give my reasons why I would have been opposed to the motion that this bill go over in its order.

The PRESIDENT. The Chair rules the Senator from Philadelphia is out of order and wants to reply to his statement. The gentleman from Philadelphia knows, and I think every member of the Senate, including both Republicans and Democrats alike know, that the Chair has recognized every member who has attempted to speak throughout this whole session. As far as the Chair is concerned, anybody who wishes to speak, when he is in order and when he addresses himself to the question involved, will always be permitted to speak. The gentleman from Philadelphia, Senator Shapiro, has spoken a number of times on matters which had nothing to do with the question involved, but in spite of that, the gentleman from Philadelphia, Senator Shapiro, and every other member of the Senate, regardless of which side, have always been given that treatment.

Mr. SHAPIRO. Mr. President, I now suggest to you that I have called the attention of the Chair to the fact that I was asking for the floor and that because of the fact that I was not recognized, I am asking now to speak on personal privilege to give my reasons. I think the Chair in fairness, of course, will allow me to state my reasons.

The PRESIDENT. The Chair certainly will have no objection if the Senate has none. The gentleman from Philadelphia may proceed.

Mr. SHAPIRO. I may say that I am convinced that most of the members of the Senate, on both sides of the house, are interested in what I shall say. I am sure this bill is of sufficient importance—I was about to say, and then I was so kindly interrupted—

POINT OF ORDER

Mr. WATKINS. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Schuylkill will state his point of order.

Mr. WATKINS. Speaking on personal privilege does not include the right to debate a bill, and I submit that the gentleman from Philadelphia, Senator Shapiro, is now debating a bill that is already over in order. That is my point of order.

Mr. DENT. Mr. President—

The PRESIDENT. The gentleman from Schuylkill is correct and the Chair sustains his point of order.

Mr. DENT. Mr. President—

The PRESIDENT. The Chair recognizes the gentleman from Westmoreland.

Mr. DENT. Under the rules of procedure of any parliamentary body, when a member of any parliamentary group asks the right of personal privilege, and he is granted that right of personal privilege, if he feels any subject that he covers directly deals with his personal feelings on that subject, I take it, Mr. President, on this question of personal privilege, in this or any other deliberative body, a question of order is entirely wrong, and I take the position that after having once been granted permission to address this body on the order of personal privilege, objection cannot be raised until that person has stated his question of personal privilege.

The PRESIDENT. The gentleman from Westmoreland is incorrect. It is not a question of what a Senator thinks is a question of personal privilege. The Chair decides that question and the Chair has certainly given every imaginable leeway to any Senator on either side who desires to speak on any matter whatsoever.

Mr. MUNDY. I plead guilty to the fact that I have not attended sessions probably as well as I have in the past. I feel, however, having come here on several occasions, that I could better fit myself into co-operation in preparation for war work, by taking care of my business at home, and taking care of people, because of the dearth of physicians. I do come here occasionally during sessions, and I expect when I come here to be able to express to this Senate my opinion of what my people in my district want. I do not want to feel that because of technical rules of the Senate that the right to speak my mind and say my thoughts on this floor should be abrogated.

I want to say that I believe, sincerely believe, and I hope I am not wrong, that the majority of the gentlemen on the other side agree with me in that opinion, and when the time comes, Mr. President, that I can not come here and express my opinion, then I shall tender to the Chair my resignation.

Mr. SHAPIRO. Mr. President, I ask unanimous consent to state my reasons why I would have voted "no" on the motion to allow Senate Bill No. 18 to go over in order.

The PRESIDENT. Is there objection? The Chair hears none? The gentleman from Philadelphia may proceed.

Mr. SHAPIRO. Mr. President, I think all of the Senators will be interested in getting these facts. This is not a speech I am making, but a statement of some facts, basic facts gained from experience. I would like the gentleman from Jefferson, Senator Wilson, to listen, because I am quite sure he will be interested in this, in helping him to vote on this bill.

You will remember, there were eight days of trial that I was referring to and there were some 32 hours in disposing of 54 cases, and this is how the time was divided:

Arraignments, that is, taking pleas, took 2 hours and 32 minutes; the calling of juries took 57 minutes, because we use the same jury over and over again in these cases; presentation of evidence took 15 hours and 14 minutes; the district attorney's speech—and I say modestly, not like those in the Senate—took only 43 minutes; the judges' charges took two hours and nine minutes; the writs that were disposed of took twelve minutes; writs concerning liquor cases took two hours. The total time for the disposition of the pleas and the sentences and the convictions in those 54 cases took 6 hours and 31 minutes. That is less than seven minutes for the disposition of any case.

This is not, members of the Senate, an isolated instance, because, if you turn to any sheet in this book, you will find that a case was started thirty minutes after ten and was finished at thirty-seven minutes after ten. I have cases here where people were convicted of serious offenses, tried and convicted within 15 minutes.

I would like to sort of follow that up with regard to that kind of treatment of cases.

Here is a man who was sentenced on September 16, 1935—I shall not give names—for entering and stealing six packages of cigarettes. He was put on probation for ten years. There is not a word on his card during all that period of time about where the boy was or what happened to him until some two years later. I saw his card in the office of Mr. Hackney on Friday of last week. Two years later, without any supervision of this boy, he was arrested, charged with robbery at the point of a gun, holding up a butcher shop and taking $200. He pleaded guilty and he was sentenced to from ten to twenty years. At that time, it appears on his card, that he had two previous arrests, both in 1933. That boy was 17 years old at the time of the commission of his first offense, nothing was done about him during those two years, nothing that would correct him or show him the error of his ways.

In another case a man was sentenced to 15 to 30 years by Judge Gordon for assault and battery and attempt to rob and hold up. At that time he was 28 years old. He was sentenced, and his minimum sentence was to expire in 1943. In October of 1939 the Pardon Board commuted his sentence and he was placed in charge of the Department of Justice Parole Board, and he was paroled by them two months later, in December. Less than one and a half years later, in April of 1941, he was arrested, charged with robbery of several persons at the point of a gun, and sentenced to from 10 to 20 years by Judge McDevitt. His record at the time of commutation by the Parole Board showed four arrests in 1918 for larceny, sentenced three times from then on to 1920 for crimes ranging from robbery to the selling—not the use but the selling—of drugs. He was sentenced to from two to three years by Judge Stern and five to seven years by Judge Ferguson. In 1928 he was sentenced by Judge Gordon, and in 1939 he was paroled by the Parole Board. Since his parole he has committed additional crimes.

This case is the one that has been referred to—I will not use the name—but it is one that has been referred to. In 1929 this boy was sent to the Huntingdon Reformatory by Judge Gordon for operating an automobile without a license and without the consent of the owner. I am wrong about that—in May Judge Gordon sent him to Huntingdon for larceny. In 1933 he was convicted of operating an automobile without the owner's consent. Sentence was suspended by Judge Bonniwell. In July of 1933, just a month later, he was sentenced to from 4 to 10 years by Judge Kun, for the larceny of seven boxes of cigars from a cigar store. His minimum sentence expired in 1937. He could have been released by Judge Kun before that, but by virtue of the Act of 1923, he had to be released when his minimum sentence expired in 1937, so he got out in 1937, some time in July. One month later, in August, he was arrested for breaking into a store. He plead guilty and was sentenced to from one to five years by Judge Flood. In August of 1937, Judge Kun revoked his automatic parole—the 1937 parole—he would have had to serve then six more years plus the one year from Judge Flood—but in 1939 Judge Kun paroled him after he had served the one year minimum and eighteen additional months of the remaining six years. The parole was granted because the mother came to see Judge Kun.

Mr. Hackney's connection with this arose out of the fact that he filed the petition at the suggestion of Judge Kun, which is no reflection on him, as it is the usual procedure when paroles are requested by relatives and they have no lawyers, so that Mr. Hackney deserves no criticism for that act.

Notwithstanding what has been said to the contrary, because I examined this record and I know what it is, during all this period of time this defendant was visited only twice and during this period of time while he was on parole, in 1940, he was convicted and served a sentence of one year in Erie, Pennsylvania. The Probation Department had no record of that or knew nothing about it.

In 1943 he was found and rearrested on a series of robberies, with three other people, during the period going back from 1943 and since his release in 1937.

I cite these cases to you and say to you that the trouble, the vice in our system is two-fold, first, that judges sentence and parole without sufficient knowledge of the facts. You can not properly dispose of a man's future in the five minutes time that is devoted to sentencing him and you can not get sufficient information about that man to make a proper sentence when you do not have a unified system of parole with a proper amount of aid to do the work properly.

Let us not shut our eyes to these facts, which are neither political nor personal; they are actual. Zeke Hackney will say to you as he said to me, "Certainly I did not watch this boy; I could not watch him because the man who had charge of his case had 650 people to watch."

The total of parole cases in Philadelphia today is 10,000, of which they hope to send 3,000 to the State Parole Board. They have fifteen people now on their payroll, of whom four are clerical assistants in the office; nine of them are supposed to guide and watch 10,000 parolees.

When you are discussing in this sub-committee whether or not you should destroy a new system that has been set up, I want you to take into consideration the fact that the system that existed for the last twenty-five years has been a terrible system, the system both of sentencing and of parole watching, and the system can only be corrected by information which will enable those who have to act, to act decently, honestly and capably, and the only way you can set up such a system is to destroy the old system and set up a new one that will work along those lines.

This Parole Board has not gotten started yet; it has not had a chance; it is set up along systems which are not new, which are known; the method they have followed is the New York system, which has been in effect for many years and has worked out well.

When I went to the New York Parole Board to examine their records I found that the moment a man was committed to their care, from that moment on he became their record and their charge. You will find in their records a history of every prisoner, even before his time for parole arrives, you will find the story about his family, you will find the story about his background, you will find the story about the people with whom he associated and you will find reports periodically, very frequent reports, after he is paroled as to what he has done, what has been done for him, where he works, who obtained work for him, and a really intelligent system to take care of that prisoner.

It seems to me that under the circumstances, before you destroy this thing which has only just begun, you should have in mind the facts which give rise to the necessity for resetting the whole system of parole and I brought you these facts, which were not prepared for this argument but which are historical from my own experience—and I hope you will pardon the personal allusion but it is the only way I can bring to you the answer to the statement that any one will hear, that judges are the ones to sentence and parole, and I tell you that you can not try eighteen or twenty-five cases a day in criminal court, when neither the judge nor the district attorney nor anybody having anything to do with the case knows anything about it, without destroying the future possibility of rehabilitation of any of those people.

That is why I say to you, I would love to have stated this in argument against the bill when it came up, but since this bill is not going to be acted on before the subcommittee reports, I suggest that it consider these facts.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 48, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending certain provisions of Section one thousand and twelve thereof for the duration of the war and six (6) months thereafter

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1012 of the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damage caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended is hereby further amended by adding thereto a new clause in the heading and after subsection (f) a new subsection as follows

Section 1012 Signals on Starting Stopping or Turning Suspension of Requirements

* * * * *

(g) The provisions of this section insofar as they require the installation or operation of mechanical or electrical signal devices are suspended and rendered ineffective for the duration of the war and a period of six (6) months thereafter

Section 2 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I should like to call the attention of the members of the Senate to this bill, and just by reading the bill you can see what is being done here. When I read the act this morning, I picked out this section and I found that the section which is being repealed provides that when a man is driving a motor propelled vehicle and he is about to stop or make a turn to the left or right, he either puts out his hand or arm, or of the car is so constructed or so loaded that his hand or arm can not be seen that then his mechanical device should indicate that fact, such device to be approved by the Secretary of Highways.

If you repeal this provision and if the driver of a motor propelled motor vehicle has no means of giving notice to someone in back of him, he could stop or turn to the left or to the right with impunity.

As it is now, a violation of this act would give rise to that charge that this was prima facie negligence if anyone got hurt in any way.

If you enact this into law, remove this section, a person can get injured or probably killed with impunity.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Becker,
Bowers,
Carr,
Chapman,
Edmonds,
Farrell,
Geltz,
Heyburn,
Kephart,
Letzler,
Mallery,
Scarlett,
Taylor,
Thomas,
Tyler,
Wade,
Crider,
Crowe,
Deitrick,
Ealy,
Homsher,
James,
Jones,
Snowden,
Stevenson,
Tallman,
Walker,
Watkins,
Wilson, H. I.,

NAYS—16.

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 49, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending the provisions of Section nine hundred and two (f) thereof for the duration of the war and six (6) months thereafter

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 902 (f) of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows:

Section 902 Size of Vehicles and Loads * * * * *

(f) It shall be unlawful for any person to transport on a motor vehicle trailer or semi-trailer operated for the carriage of passengers for hire a load of twenty-five (25) per centum in excess of the registered seating capacity or for any person to cause or permit any such operation Provided however That a child under the age of six years shall not be counted as a person when computing load on any such vehicle And provided further That nothing contained in this subsection shall make unlawful the transportation of a load of more than twenty-five (25%) per centum in excess of the registered seating capacity when such load is carried by a vehicle for not more than ten consecutive miles

The provisions of this subsection are suspended and rendered ineffective for the duration of the war and a period of six (6) months thereafter

Section 2 Effective Date This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. DENT. Mr. President, as I understand this bill, the present act allows a twenty-five per cent overload for a ten mile stretch haul in buses. As I understand this bill, under the guise of being a war measure, it repeals that feature of the present law and allows an overload for unlimited distances.

I suggest that this is an increased hazard in these days of inferior equipment, inability to get repair parts or proper parts, weak tires and so forth, and we may be endangering the lives of many school children and other persons by the passage of this bill.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,

NAYS—16.

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan.
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 63, entitled:

An Act to amend the act approved the twenty-secend day of April one thousand nine hundred and thirty-seven (P. L. 394) entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions by adding certain other conditions under which the Secretary of Highways may disregard terminal points

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-second day of April one thousand nine hundred and thirty-seven (P. L. 394) entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions" is hereby amended to read as follows

Section 1 Be it enacted &c That when the terminal point of one or more State highway routes is described as being at the boundary line of a county township municipality or adjoining state and the highway continues beyond such point the Secretary of Highways shall have authority to relocate such State highway route or routes in accordance with the provisions of present or future laws governing the relocation of State highways without limitation on account of such terminal point except that the new point of crossing of such line shall be properly referenced and shown on the plan by which the relocation is made When the terminal point of a State highway route is described as being on another highway the Secretary of Highways shall have authority to relocate such highway route in accordance with the provisions of present or future laws governing the relocation of State highways without limitation on account of such terminal point except that the new terminal point shall be on such other highway When two separate State highway routes with one common terminal point form a continuous highway the Secretary of Highways shall have authority to relocate such State highway routes in accordance with the provisions of present or future laws governing the relocation of State highways without limitation on account of such terminal point except that both the old and the new terminal points shall be shown on the plan by which the relocation is made.

Section 2 This act shall take effect immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Edmonds,
Farrell.
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden.
Stevenson,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,

NAYS—16

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 64, entitled:

An Act authorizing the Secretary of Highways to establish construct and maintain parallel or approximately parallel State highways in townships borough incorporated towns and cities in certain cases providing for the payment of property damages resulting therefrom and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 When any State Highway Route or combination of State Highway Routes or portions thereof in the opinion of the Secretary of Highways is inadequate for present or anticipated traffic and the cost of securing the right-of-way necessary for a highway of adequate design on the existing location would be unwarranted in the judgment of the Secretary of Highways or the topography adjacent to the existing location is such that widening is impractical and the establishment and construction of a parallel highway together with the retention of the existing highway will provide ample width of highway for public use the Secretary of Highways may establish construct and maintain a parallel or approximately parallel highway as a State Highway in any township borough incorporated town or city or combination of such political subdivisions and retain the present highway as a part of the system of State Highways provided however that a plan for the establishment and construction of such parallel or approximately parallel highway shall be prepared by the Department of Highways signed by the Secretary of Highways and approved by the Governor and filed as a public record in the Department of Highways

Section 2 The Secretary of Highways may control the direction of the flow of traffic over parallel or approximately parallel highways established under the provisions of this act by the erection of approved One-Way Traffic signs at the beginning and ending of each parallel or approximately parallel highway and at the entrance of all roads highways alleys or streets connecting therewith

Section 3 Damages occasioned by the taking of private property for the construction of parallel or approximately parallel State highways established under the provisions of this act shall be ascertained and paid in the same manner as now or hereafter provided by law for the payment of damages due to changes of widths or of existing lines and locations of State highways in the political subdivision in which such parallel or approximately parallel highway is so established

Section 4 This act shall take effect immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,

NAYS—16

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 65, entitled:

An Act to further amend section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 392) entitled "An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways" by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township borough incorporated town or city within which they are located after being improved and repaired by the Department of Highways and by adding a new section to provide that portions or sections of the old highway which are not included within the changed altered or established widths shall be considered vacated if such portions or sections are not of the full width of the highways as previously established

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 392) entitled "An act providing that highways or sections thereof abandoned as State highway routes shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways" as last amended by the act approved the eleventh day of June one thousand nine hundred and thirty-five (P. L. 320) is hereby further amended to read as follows

Section 1 Be it enacted &c That where any section of a State highway route as now or hereafter defined by law shall be or has been relocated under the authority of existing or future laws the portion of the public road or highway thus abandoned as a State highway route shall be maintained by and at the expense of [the authorities responsible for the maintenance of said public road or highway prior to its having been estabished as a State highway or a State aid highway and where any such abandoned section of State highway was at any time a part or portion of a turnpike or toll road the abandoned portion shall be maintained by and at the expense of] the township borough incorporated town or city wherein it is located by the Department of Highways shall in each case before abandoning such portion of public road or highway improve and repair the same so that it shall be in first class condition when it is taken over by the township borough incorporated town or city

Section 2 That the aforesaid act is further amended by adding thereto the following new section

Section 2 Where the width lines or location of a State highway shall be or have been changed altered or established according to law in a manner which does not create an entirely new highway the section or sections or portions of the right-of-way of the highway as previously established which are not included within the changed altered or established widths shall be considered vacated if such portions or section are not of the full width of the highway as previously established

Section 3 This act shall take effect immediately upon its final enactment

And said having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,

NAYS—16

Barr,
Coleman,
Cox,
Dent.
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, in absence of the sponsor, I ask unanimous consent that Senate Bill No. 71, on third reading entitled:

A Joint Resolution proposing an amendment to section four, article two of the Constitution of the Commonwealth of Pennsylvania, providing for annual sessions of the General Assembly, salary of members and an annual budget.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 71, entitled:

An Act to amend section three of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 754) entitled "An act providing for the survey construction reconstruction improvement and maintenance of an Industrial State Highway between the cities of Chester and Philadelphia and making the same a part of the system of State Highways providing for the taking of certain roads and of certain private property therefor under the power of eminent domain and the payment of damages by certain counties and imposing certain powers and duties upon the Highway Commissioner and county commissioners" providing for ascertaining damages for the taking of private property and payment thereof in the same manner as provided by law in the case of State Highways

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 754) entitled "An act providing for the survey construction reconstruction improvement and maintenance of an Industrial State Highway between the cities of Chester and Philadelphia and making the same a part of the system of State Highways providing for the taking of certain roads and of certain private property therefor under the power of eminent domain and the payment of damages by certain counties and imposing certain powers and duties upon the Highway Commissioner and county commissioners" is hereby amended to read as follows

Section 3 In carrying out the provisions of this act the [State Highway Commissioner] Department of Highways shall possess all the powers now by law vested in [him] it in relation to the laying out constructing reconstructing improvement and maintenance of State highways and State-aid highways and in addition thereto [he] it shall have and is hereby authorized to exercise the rights of eminent domain for the purpose of condemning and taking private property of any purpose connected with the location relocation widening construction reconstruction improvement or maintenance of said industrial highway The damages for the taking of private property shall be ascertained and paid as provided by law for damages for the taking of private property in the case of State highways

[Provided That before any private property is condemned and taken for said purposes the State Highway Commissioner shall notify the proper board of county commissioners of the proper county within which said property lies in writing of his intention to condemn and take said land whereupon the said commissioners when possible shall enter into an agreement with the owner or owners of said property as to the amount of damage to be paid to said owner or owners which damage if agreed upon shall be paid by the proper county as to property lying within its limits or in case an agreement satisfactory to said county commissioners and the said owner or owners cannot be made the State Highway Commissioner may proceed with the work of construction or improvement and the owner or owners of said property so taken may present their petition to the court of quarter sessions for the appointment of viewers to ascertain and assess damages due therefore The proceedings upon said petition and by said viewers shall be governed by existing laws relating to the ascertainment and assessment of damages for laying out and opening public highways and such damages when ascertained shall be paid by the county in which said property or highway is located

Provided That the county commissioners or any other party to such proceedings may appeal from the award of the viewers to the court of common pleas and shall be entitled to a trial by jury From the judgment of the court of common pleas an appeal may be had to the Supreme or Superior Court as in other cases]

Any State funds appropriated or available for the construction improvement and maintenance of State highways and for the payment of damages for the taking of private property therefor shall be available and are hereby appropriated for the construction improvement and maintenance of said Industrial State Highway and for the payment of damages for the taking of private property therefore

Section 2 The provisions of this act shall become effective immediately upon its final enactment and shall apply in the case of all damages for the taking of private property heretofore incurred that have not heretofore been paid

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken abreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL PLACED ON POSTPONED CALENDAR

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 99, Printer's No. 28, entitled:

A Joint Resolution proposing an amendment to Section one of article Fourteen, of the Constitution of the Commonwealth of Pennsylvania, by making sheriffs eligible to succeed themselves.

be placed upon the postponed Calendar.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 105, entitled:

An Act to amend section two thousand three of the Act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal School or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Highway to condemn rights-of-way as agent for the Federal Government

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administartive departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teacher Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officer fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding at the end thereof one new clause to read as follows

Section 2003 Machinery Equipment Lands and Buildings The Department of Highways shall have the power and its duty shall be

* * * *

(h) To take and condemn rights-of-way over private property as agent for the Federal Government where such rights-of-way are not a part of the system of State highways and where satisfactory provisions for reimbursement for the expenses thereof by the Federal Government are made Any such condemnation shall be under the same procedure as in the case of condemnation for State highways

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 131, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary akes and boundary rivers of the Commonwealth" by providing for the issuing of lifelong free resident fishing licenses to persons seventy years of age or over

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 834) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees For the purpose of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of one dollar and fifty cents ($1.50) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license" Any such applicant who is seventy years of age or over shall upon the presentation of such proof of age as many be required by the Department of Revenue and upon the payment of the sum of fifty cents (50c) to that department or to the issuing agent for the use of the Commonwealth to cover the costs of issuance and in the event that the license is issued by an issuing agent the amount of ten cents (10c) for the use of the issuing agent be entitled to a lifelong free "resident fishing license"

In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license button may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50c)

Upon the making of an appication by an person to the Department of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar ($1.00) for the use of the Commonwealth such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River below Easton in accordance with the provisions of this act

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BARR. I intend to vote for this bill but it is just another one of those creatures which was turned down by the committee and then appeared on the floor of the Senate.

Mr. HENRY I. WILSON. Mr. President, I wish to vote "present" and not voting, being one of the unfortunate people who are past this age and I do not want to travel under false colors.

The PRESIDENT. The vote of the gentleman from Jefferson will be so recorded.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,

NAYS—2

Shapiro,
Woodring,

PRESENT—1

Wilson, H. I.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECONSIDERATION OF SENATE BILL No. 177

Mr. HOMSHER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 177, entitled:

An Act to amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for the payment of contributions by employers in accordance with an experience rating system; and providing for and regulating such experience rating system and the terms and procedure to effectuate the same.

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. HOMSHER. Mr. President, I voted "aye."

Mr. FARRELL. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FARRELL. Mr. President, I voted "aye."

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HOMSHER offered the following amendments:

Amend Section 1 (sec. 301), page 3, line 27, by striking out the words "his employer's experience" and inserting in lieu thereof "clause (c) hereof."

Amend Section 1 (sec. 301), page 3, lines 28 and 29, by striking out the words "the safety factor in the manner hereinafter provided" and inserting in lieu thereof "clause (f) hereof."

Amend Section 1 (sec. 301), page 4, line 12, by inserting after the word "him" the following: "or employes resuming work."

Amend Section 1 (sec. 301), page 4, line 14, by striking out the word "forty-three" and inserting in lieu thereof "forty-one."

Amend Section 1 (sec. 301), page 4, line 18, by inserting after the word "employe" the following: "For benefit years which began in one thousand nine hundred and forty-one or one thousand nine hundred and forty-two such notice may be given within thirty days after the end of the employe's benefit year or within sixty days after the effective date of this act, whichever date is later."

Amend Section 1 (sec. 301), page 4, lines 23, 24 and 25, by striking out the words "each such compensated employe for the calendar year in which said written notice was given to the department" and inserting in lieu thereof "such compensated employes."

Amend Section 1 (sec. 301), page 7, line 18, by inserting after the word "State" the following: "of."

Amend Section 1 (sec. 301), page 9, line 9, by striking out the word "fifteen" and inserting in lieu thereof "thirty."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 191, entitled:

An Act authorizing guardians and trustees to purchase life endowment or annuity contracts in companies approved and duly authorized to carry on such business in the Commonwealth of Pennsylvania.

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend sec. 1, page 2, line 5, by striking out the words "or designated beneficiary."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing on final passage.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 193 on third reading, entitled:

An Act to amend Section six hundred fifty-one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," permitting persons under the age of eighteen years to be present in bowling alleys.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 211, on third reading, entitled:

An Act to further amend section nine hundred eight subsection A of section one thousand six subsection A of section one thousand twelve and subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments, commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the amount and maintenance of reserve funds by banks and banks and trust companies and authorizing certain loans by banks and banks and trust companies which are guaranteed against loss of certain Federal agencies investments in second liens in cases and under conditions herein specified and further providing for the powers and limitations upon powers of corporations with fiduciary powers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 268, on third reading, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic, weak-minded person, presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS RECOMMITTED

Mr. WADE. Mr. President, I move that Senate Bill No. 294 on third reading, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by specifically exempting from county personal property tax liability, certain shares of stock in foreign insurance companies liable to a tax on their gross premiums under section twenty-four of the act, approved the first day of June, one thousand eight hundred and eighty-nine (P. L. 420), as amended.

be recommitted to the Committee on Insurance for the purpose of further study.

Mr. DiSILVESTRO. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. FARRELL. Mr. President, I ask unanimous consent that Senate Bill No. 304, on third reading, entitled:

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts.

go over in its order.

The PRESIDENT. Is there objection?

Mr. DENT. I usually attend sessions and I am here today, and this bill is on the Calendar and when it comes up for final action I desire to say some things about the bill and vote against it, and I therefore request that the Senator who is responsible for calling the bill up will not call it up when I might not be here.

Mr. FARRELL. Mr. President, I can not assure the gentleman from Westmoreland that he will always be here—I wish I could.

Mr. DENT. I am usually here, as often as any other member, and I do not like the idea of bills going over in order when it is known that there is opposition to them and then calling them up when Senators are not here who are opposed. That is my objection.

And the question recurring,

Will the Senate agree that Senate Bill No. 304 go over in order?

It was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained permission to address the Senate.

Mr. BARR. Mr. President, the next bill for consideration is Senate Bill No. 305. I happen to be a member of the Committee on Elections. We discussed Senate Bill No. 305 in the Committee on Elections and it was agreed in that committee that the bill would lay over for further study, so this is another one of the creatures we find on the Calendar.

In other words, the wishes of the committee were not carried out. Senate Bill No. 304, the bill which just went over in order, was never discussed in the Committee on Elections. I do not think the people of Pennsylvania care for this type of legislation that they are getting as far as this committee action in the Senate is concerned.

Mr. FARRELL. Mr. President, Senate Bill No. 305 is a registration bill.

The PRESIDENT. Senate Bill No. 305 is not before the Senate for action.

Mr. FARRELL. Mr. President, on Senate Bill No. 305, it is a registration bill, and the committee was polled on that bill and eleven out of fifteen members of the Election Committee consented to that bill coming out on the floor. I gave the bill to the Committee and told them to read it over and I told them that I would like to get their poll on it in about three days and I left it go for several days more and then polled the committee and there were eleven out of fifteen members that agreed that this bill should come out on the floor.

Mr. BARR. Mr. President, I think when a bill is up before a committee and is laid over for further study that is the correct procedure. If you do not have the nerve to vote in committee but you can run around the fellows' desks and they do not know what it is and they say o. k., out of good fellowship, that is another thing.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 305, entitled:

An Act to further amend the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statsitics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing certain provisions of said act relating to removal notices and eliminating electors" rights to file removal notices in certain cases.

On the question,

Will the Senate agree to the bill on third reading?

MOTION THAT BILL BE RECOMMITTED

Mr. BARR. Mr. President, I move that Senate Bill No. 305, Printer's No. 171, be recommitted to the Committee on Elections for further study, as was agreed in the committee when the committee met.

Mr. DENT. Mr. President, I second the motion.

The PRESIDENT. Is there objection?

Mr. FARRELL. Mr. President, I object and ask for a roll call on the motion to recommit.

The yeas and nays were required by Mr. FARRELL and were as follows, viz:

YEAS—16.

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring,

NAYS—29.

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Tyler,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,

So the question was determined in the negative.

BILL OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that Senate Bill No. 305 on third reading, go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

RECONSIDERATION OF SENATE BILL No. 311

Mr. WADE. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 311, entitled:

An Act relating to appointments, reclassifications and promotions under any civil service system of this Commonwealth, since March sixteenth one thousand nine hundred forty-two until a period after the cessation of hostilities; making such appointments of war duration; providing for examinations at the end of such period; abolishing the State Civil Service Commission during such period; providing for the appointment of members at the end thereof; conferring powers and imposing duties on the Superintendent of Public Instruction; suspending inconsistent laws; and prohibiting the establishment of civil service systems by rule or regulation for a limited period

pass second reading.

The PRESIDENT. How did the Senator vote?

Mr. WADE. Mr. President, I voted "aye".

Mr. HEYBURN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye".

The motion was agreed to.

Mr. COX. Mr. President and members of the Senate, when this bill was born it had two horns, a long tail and cloven hoofs—at least that was the opinion that a great majority of the people who live in Pennsylvania had of the bill, because it would have had the effect of ripping out Civil Service.

Mr. COX. Mr. President, as this legislative baby grew there were certain changes in its physiogonomy, which made it more like a human being, and I might say at the present time the bill is getting very close to the point when it will be an excellent bill.

It just so happens that Senator Wade and I both have amendments to submit on this bill and we are not very far apart—as a matter of fact we are close together—and I hope after I explain the purpose of my amendments. and their significance, the gentleman from Cumberland will agree with me and perhaps write his name on my amendments.

By way of explanation I might say that I am speaking not only for myself but for the other members of my party who sit on the left. I am expressing their attitude toward this bill.

Last week when this bill was on second reading, the gentleman from Cumberland made a very impassioned speech in which he called the attention of the members of this Senate to the fact that we are fighting a war and there were thousands of the youths and the young ladies of our country out of the country who could not compete for employment in the State government, and he suggested that perhaps if we were not careful and considerate of those people, when they came back they might have something to say about it. So, I wish to place myself and the Democratic members of the Senate on this side in the position that when these young men and women come back they will feel that we, like the gentleman from Cumberland, are trying to be eminently fair. My amendments would accomplish this purpose.

These amendments provide that in the case of all appointments after March 16, the appointments will come from the civil service lists and will be protected by civil service. They provide that after the war is over, individuals who are appointed after March 16, 1942 must take civil service examinations in open competition with all other persons who wish to take these civil service examinations.

The effect of these amendments would be that we would accomplish the very laudable purpose suggested by the gentleman from Cumberland, Senator Wade, in affording opportunity for all persons in the armed forces of the United States to compete for positions under the civil service system.

At the same time, we would safeguard the principal which we find in legislation previously enacted in this Senate, and, of course, I refer to civil service legislation, legislation which believes that it is possible to get better employes, have happier employes, if we give them the protection of civil service.

Senate Wade, I hope that you are convinced and that you are going to sign my amendments with me.

So Mr. President, unless I hear acceptance of my invitation from the gentleman from Cumberland, Senator Wade, I shall offer the following amendments.

The PRESIDENT. Is there objection? The Chair hears none.

The first section was read.

On the question will the Senate agree to the Section.

Mr. COX offered the following amendments: Amend sec. 1, page 2, lines 11 to 24, both inclusive, by striking out the words "appointments, reclassifications and promotions to" in line 11, and all of lines 12 to 24 and inserting in lieu thereof "persons appointed, reclassified or promoted to any position in any department or agency of the State Government that is now subject to civil service requirements under any law of this Commonwealth, or under any ruling or regulation of any department or agency of the State Government, since the sixteenth day of March, one thousand nine hundred forty-two, and until appropriate eligible lists can be established as hereinafter provided, shall continue in such appointment, reclassification or promotion, under and subject to all the provisions of the applicable law, ruling or regulation until one year after the cessation of all hostilities of the war or wars in which the United States is now engaged. Thereafter all such positions shall be deemed to be vacant, and all persons then holding any of them shall continue in their respective position as provisional employes until permanent appointments, reclassifications or promotions can be made from employment and promotion lists established as the result of examination given by the board or person required by law, rule or regulation, in each case to give civil service examinations as hereinafter provided, in the manner and subject to the provisions of the applicable civil service act.

On the question,

Will the Senate agree to the amendments?

Mr. COX. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. COX and were as follows, viz:

YEAS—16

Barr,
Coleman,
Cox.
Dent,
DiSilvestro,
Gourley,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Walker,
Woodring,

NAYS—28

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe.
Deitrick.
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn.
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Watkins,
Wilson, H. I.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section as read?

It was agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. COX. Mr. President, one of the members of the Senate whom I have great confidence suggested to me that inasmuch as the gentleman from Cumberland has amendments to offer and I have amendments, it might be a much better plan to afford all the members of the Senate opportunity to study them before we vote on them, and if it is possible to do this, I would suggest that the gentleman from Cumberland offer his amendments and then we will let the matter go over in order until tomorrow and then the members of the Senate can accept either my amendments or the amendments offered by the Senator from Cumberland.

(The Senate was at ease.)

The PRESIDENT. The Senate will resume consideration of the second section.

And the question recurring,

Will the Senate agree to the second section?

Mr. COX offered the following amendment: Amend sec. 2, page 2, lines 25 to 29, both inclusive, by striking out all of said lines; amend sec. 2, page 3, lines 1 to 11, both inclusive, by striking out all of lines 1 to 10, and the words "other applicable law, rule or regulation" in line 11.

On the question,

Will the Senate agree to the amendments?

The PRESIDENT. Unless there is objection a voice vote will be taken on the amendments presented by Senator Cox to Section 2.

Whereupon, the Chair declared the amendments failed of passage.

On the question,

Will the Senate agree to the section as read?

It was agreed to.

The third section was read.

Mr. COX offered the following amendment to Section 3: Amend sec. 3, page 3, line 24, by striking out the figure "3" and inserting in lieu thereof "2".

On the question,

Will the Senate agree to the amendment?

Mr. COX. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. COX and were as follows, viz:

YEAS—15.

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring,

NAYS—29.

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the third section?

It was agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. COX offered the following amendment: Amend sec. 4, page 4, lines 4 to 26, both inclusive, by striking out all of said lines.

On the question,

Will the Senate agree to the amendment?

Mr. COX. Mr. President, I ask that the roll be called.

The yeas and nays were required by Mr. COX and were as follows, viz:

YEAS—15.

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring,

NAYS—29.

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to section 4.

Mr. WADE offered the following amendment: Amend Section 4, page 4, by striking out lines 4 to 26 inclusive, and inserting in lieu thereof the following: "The powers and duties of the Personnel Director of the State Civil Service Commission are hereby suspended for the duration of the war and until six months after the cessation of all hostilities but the State Civil Service Commission may exercise such powers and duties of the Director as are not inconsistent with the provisions of this act".

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. COX. Mr. President, in order to save time I ask unanimous consent to offer amendments to sections 5, 6, 7 and the title and ask that they be voted on in their entirety.

The PRESIDENT. Is there objection?

The Chair hears none.

The Clerk read the amendments as follows: Amend sec. 5, pages 4 and 5, by striking out all of lines 27 and 28, on page 4, and all of lines 1 to 12, both inclusive, on page 5; amend sec. 6. page 5, line 13, by striking out the figure "6" and inserting in lieu thereof "3"; amend sec. 7, page 6, line 8, by striking out the figure "7" and inserting in lieu thereof "4'; amend title, page 1, lines 8 to 14, both inclusive of title, by striking out all of said lines, and inserting in lieu thereof "and suspending inconsistent laws".

On the question,

Will the Senate agree to the amendments?

Mr. COX. Roll coll, Mr. President.

The yeas and nays were required by Mr. COX and were as follows, viz:

YEAS—15.

Barr,
DiSilvestro,
McGinnis,
Shapiro,

Coleman,
Cox,
Dent,
Gourley,
Holland,
Jaspan,
McQuiddy,
Mundy,
Ruth,
Stiefel,
Woodring,

NAYS—29.

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to section 5 as read?

MOTION THAT AMENDMENTS AND BILL BE RETURNED TO COMMITTEE .

Mr. DENT. I move that the amendments that have now been presented by both gentlemen and the bill be returned to a proper committee for study. I do that in the interest of saving time and trying to get something done. I do not know how the clerks can follow this procedure at the present time.

The PRESIDENT. Is there any seconder to the motion of the gentleman from Westmoreland.

Mr. BARR. I second the motion.

The PRESIDENT. The motion is that the bill and amendments be returned to committee. To which committee does the gentleman from Westmoreland suggest that the amendments and bill be returned.

Mr. DENT. I do not think it makes very much difference—they control all the committees.

The PRESIDENT. Would the Senator from Westmoreland include that in his motion so that the Chair can present the motion to the Senate.

Mr. DENT. I said a proper committee and I would suggest that the President of the Senate should know which is a proper committee—State Government I believe it came from.

The PRESIDENT. There is a motion that this bill and the amendments should be returned to the Committee on Judiciary General, which has been duly made and seconded.

The Chair recognizes the gentleman from Cumberland.

Mr. WADE. On the motion to recommit may I submit to this body that there has been considerable criticism here today of the action of committees. Now you have before you a bill which apparently has been considered carefully here in the body of the Senate but there is now a motion to send it back to one of these committees which you have been so critical of today. I say to you, Mr. President, and members of the Senate, that here is the place to decide this.

The PRESIDENT. There is a motion now before the Senate by the gentleman from Westmoreland to recommit Senate Bill No. 311 to the Committee on Judiciary General, together with amendments offered by the Senator from Cumberland and also by the gentleman from Allegheny, Mr. Cox.

Unless otherwise requested a voice vote will be taken.

Mr. COX. Mr. President, I proposed these amendments and they were in the process of being voted on and I see no reason at this stage of the game that this bill should be sent back to committee.

Mr. DENT. I am sorry but the only other alternative is that you read the sections in full on the amendments so that we can understand them. If you do not want it to go back to committee we will listen to the bill.

The PRESIDENT. We will now vote on the motion introduced by the gentleman from Westmoreland, Senator Dent, to return the bill and amendments to committee.

Mr. BARR. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. BARR and were as follows, viz:

YEAS—14.

Barr,
Coleman,
Cox,
Dent.
DiSilvestro,
Gourley,
Holland,
Jaspan,
McGinnis,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring,

NAYS—27.

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Wilson, H. I.,

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the fifth section?

Mr. WADE offered the following amendments: Amend Section 5, page 4, by striking out lines 27 and 28; amend Section 5, page 5, by striking out lines 1 to 12 inclusive.

On the question,

Will the Senate agree to the amendment?

Mr. COX. Having offered amendments which have not been accepted, naturally I do not intend to offer them again. Once this bill has been amended, I do not think there is any question it will pass second reading and then come up for third reading and at that time it will be necessary for every member of the Senate to vote on the bill.

The amendments offered by the Senator from Cumberland, Mr. Wade, give civil service protection to all persons employed prior to March 16, 1942. After the passage of this bill, any person employed will not be a civil service employe and will not have civil service protection.

On the basis of my explanation previously, I think every member of the Senate can understand that my objection to these amendments is the fact that civil service protection is not given, for the duration of the war, to all persons who are employed and who ordinarily would be given civil service protection had there been no war.

I am heartily in accord with the desire of the gentleman from Cumberland, Senator Wade, to make available civil service protection to all persons employed prior to March 16, 1942, but, unfortunately, that provision is tied in with other provisions of the bill, and for that reason I will be compelled on third reading, to vote against the bill.

I wish to thank the Senator from Cumberland, Senator Wade, for his courtesy today in permitting me to offer my amendments at the time he did, and I regret very much the confusion, which is probably my fault, in that

I did not have the opportunity to explain to the gentleman on this side of the Senate the amendments of Senator Wade as contrasted with my own amendments.

And the question recurring,

Will the Senate agree to the amendments to the fifth section?

They were agreed to.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment: Amend Section 6, page 5, line 13 by striking out the figure "6" and inserting in lieu thereof the figure "5";

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment: Amend Section 7, page 6, line 8, by striking out the figure "7" and inserting in lieu thereof the figure "6"

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WADE offered the following amendment: Amend the title, page 1, lines 8 to 13 inclusive by striking out all of said lines, and inserting in lieu thereof the following: "suspending powers of the Personnel Director of the State Civil Service Commission and conferring powers on the State Civil Service Commission"

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 314, on third reading, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by changing the provisions for supervisors of special education in counties employing fewer than five hunlred and fifty teachers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 341, entitled:

An Act to further amend section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by further extending the exemptions from the tax imposed by the said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of share or certificates of stock in domestic and foreign corporations copartnerhip associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" as last amended by the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 403) is hereby further amended to read as follows

Section 2 This act does not impose a tax upon an agreement evidencing the deposit of stock certificates as collateral security for money loaned thereon if such stock certificates are not actually sold nor upon such stock certificates so deposited nor upon mere loans of stock or the return thereof nor shall the provisions of this act apply to transfers of certificates otherwise taxable from a trustee or trustees to a trustee or trustees substituted by court order or in accordance with the terms of the trust agreement or to a surviving trustees or trustees provided in either case the same continue to be held by such transferee or transferees for the same purposes for which they were held prior to such transfer nor to such transfers from a deceased person to his or her executor or administration nor from a ward to his or her guardian nor from a guardian to the ward where such transfer is made pursuant to the relationship of executor or administrator of guardian and ward nor to deliveries or transfers to a broker or his registered nominee for sale nor to deliveries or transfers by a broker or his registered nominee to a customer for whom and upon whose order the broker has purchased the same nor to deliveries or transfers by a purchasing broker to his registered nominee if the shares or certificates so delivered or transferred are to be held by such nominee for the same purpose as if held by the broker but such deliveries or transfers to or from broker or his registered nominee shall be accompanied by a certificate setting forth the facts nor to any sale agreement to sell memorandum of sale or delivery or transfer of shares or certificates of stock in domestic or foreign corporations copartnership associations or joint-stock associations made on an organized securities exchange within this Commonwealth registered with the Securities and Exchange Commission of the United States of less than one hundred shares and less than the unit of trading on such exchange by any person firm company association or corporation registered with such exchange and engaged thereon as dealer in less than the unit of trading but each such transaction shall be accompanied by a certificate setting forth the facts

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 347, entitled:

An Act to add section six hundred seventeen and one-tenth to the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licencing the operators thereof upon payment of prescribed fees prescribing and limiting the power of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for special operators' licenses after suspension for persons required to operate motor vehicles in course of employment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended by adding after section six hundred seventeen thereof a new section to read as follows

Section 617.1 Limited Operator's Licenses under Certain Circumstances Notwithstanding any other provision of this or any other law to the contrary any person whose operator's license has been revoked once or suspended once for reasons other than for mental or physical infirmities or disabilities and who is required to operate a commercial motor vehicle motor bus motor omnibus or motor vehicle as a condition of or in connection with such operator's employment shall be issued and if such license has been so revoked or suspended more than once such person may in the discretion of the secretary be issued an operator's license conferring the limited right to operate said commercial vehicle motor bus motor omnibus or motor vehicle as an operator in the course of such employment only Provided That if the operator's license had been revoked for any of the reasons specified in clauses one two three or four of section six hundred fourteen of this act committed in connection with the operation of a commercial motor vehicle motor bus motor omnibus or motor vehicle in the course of the operator's employment no such limited operator's license shall be issued

Any person having been issued a limited operator's license pursuant to the authority of this section who shall operate any vehicle contrary to the limitation thereof shall be subject to the penalties provided by this act for operating a motor vehicle without an operator's license

Any operator's license issued under the authority of this section shall be distinctly marked to show its limited use and the holder thereof shall be subject to all the provisions of this act relating to operator's licenses including penalties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on third reading, entitled:

An Act regulating commerical strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, incuding issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 388, entitled:

An Act to amend sections three and four of and to add section 6.1 to the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31, 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" by extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three and four of the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 644) entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof to limit the initiation of the development of such projects until December 31, 1943 to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government to acquire or lease such projects and to sell or lease certain projects to the Federal Government to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities" are hereby amended to read as follows

Section 3 Definitions

(a) "Persons engaged in national defense activities" as used in this act shall mean enlisted men in the military and naval services of the United States and employes of the War and Navy Departments assigned to duty at military or naval reservations posts or bases and workers engaged or to be engaged in industries connected with and essential to the national defense program and shall include the families of the aforesaid persons who are living with them

(b) "Development" as used in this act shall mean any and all undertakings and activities necessary or proper for the planning land acquisition demolition financing construction or equipment in connection with a project (including the negotiation or award of contracts therefor) and shall include the acquisition of any project (in whole or in part) from the State or Federal Government

(c) "Administration" as used in this act shall mean any and all undertakings and activities necessary or proper for the management operation or maintenance in connection with any project and shall include the leasing of any project (in whole or in part) from the State or Federal Government

(d) "Federal Government" as used in this act shall mean the United States of America or any agent or instrumentality corporate or otherwise of the United States of America

(e) "State Government" as used in this act shall mean the Commonwealth of Pennsylvania or any agency or instrumentality corporate or otherwise of the Commonwealth

(f) The development of a project shall be deemed to be "initiated" within the meaning of this act if a housing authority has issued any bonds notes or other obligations with respect to financing the development of such projects of the housing authority or has contracted with the Federal Government with respect to the exercise of powers hereunder in the development of such project of the Federal Government for which an allocation of funds has been made prior to [December 31 1943] May 31 1945

(g) "Housing authority" as used in this act shall mean any housing authority established or hereafter established pursuant to the Housing Authorities Law (Act of May 28 1937 (P. L. 955) as amended by Act of June 19 1939 (P. L. 424) and any additional amendments thereto)

(h) "Project" or "housing projects" as used in this act shall mean any work or undertaking to provide safe and sanitary urban or rural dwellings apartments or other living accommodations including buildings land equipment facilities and other real or personal property for necessary convenient or desirable appurtenances streets sewers water services parks site preparation gardening administrative community health recreational educational welfare or other purposes

(i) "National Defense period" as used in this act means the period during which a housing authority finds that within its field of operation or any part thereof (1) there exists or impends an acute shortage of safe and sanitary dwellings and (2) there exists an immediate need for housing accommodations for persons engaged in national defense activities and (3) the failure to supply such housing accommodations will impede the National Defense program and (4) private industry alone is unable to supply the need for housing accommodations for persons engaged in national defense activities within the time and in the quantity necessary to supply the need of such housing without impeding the National Defense program

(j) "Field of operation" as used in this act means the area within the territorial boundaries of the city or county for which the particular housing authority is created Provided however That the field of operation of any county authority except as hereinafter provided shall not include a city having a housing authority For the purposes of section 6.1 of this act only "Field of operation" shall also include any county city borough or incorporated town or any portion thereof not included in said area in which the housing authority exercises its powers under the provisions of section 6.1 of this act

(k) "State public body" as used in this act shall mean any city borough town township county municipal corporation commission school district institution district district authority other subdivision or public body of this Commonwealth

Section 4 During the national defense period every housing authority shall have the power to undertake the development and administration of projects within its field of operation to provide safe and sanitary dwellings for persons engaged in national defense activities but no housing authority shall initiate the development of any such project pursuant to this act after [December 31 1943] May 31 1945

In the ownership development or administration of such projects housing authority shall have all the rights powers privileges and immunities that such authority has under any provision of law relating to the ownership development or administration of slum clearance and housing projects for persons of low income with the same force and effect as though all the provisions of law applicable to slum clearance and housing projects for persons of low income were applicable to projects developed or administered to provide safe and sanitary dwellings for persons engaged in national defense activities as provided in this act Provided That any project developed or administered by any housing authority (or by any housing authority cooperating with it) pursuant to this act as agent for the Federal Government or otherwise as provided herein shall not be subject to the rental and tenant selection limitations provided in the Housing Authorities Law but such authority shall fix fair rentals for such projects within the financial reach of persons engaged in national defense activities And provided further That a housing authority may enter into any agreements with counties cities boroughs townships school districts or insitution districts to pay such sum or sums of money as may be agreed to in lieu of taxes for general services rendered by such county city borough township school district or institution district or to pay for services facilities works privileges or improvements furnished for or in connection with any such projects without being limited to the cost thereof In the case of a project administered by a housing authority pursuant to this act other than as agent of the Federal Government any revenue in excess of that necessary with other available funds to pay any bonds or other obligations administrative maintenance and operating expenses and to provide for reasonable reserve in connection with such project shall be held and used by the authority for its general corporate purposes

After the national defense period any such projects owned and administered by a housing authority shall be administered for the purpose and in accordance with the provisions of the Housing Authorities Law

Section 2 Said act is hereby amended by adding between sections six and seven thereof a new section to read as follows

Section 6.1 For the purpose of cooperating with and assisting counties cities boroughs and incorporated towns a housing authority may exercise its powers in the territory within the boundaries of any county city borough or incorporated town not included in the area in which such housing authority is then authorized to function or in any designated portion of such territory after the governing body of such county city borough or incorporated town as the case may be adopts a resolution declaring that there is a need for an authority to function in such territory or in such designated portion thereof If a housing authority has previously been authorized to exercise its powers in such territory or designated portion such a resolution shall not be adopted unless such housing authority finds that ultimate economy would hereby be promoted and such housing authority shall not initiate any housing project in such territory or designated portion after the adoption of such a resolution As used in this act the term "housing authority" shall mean a housing authority established pursuant to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake propects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and department" and the amendments thereto

Section [2] 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitutions and were as follows, viz:

YEAS—45

Barr, Ealy, Jones, Stevenson,
Becker, Edmonds, Kephart, Stiefel,
Bowers, Farrell, Letzler, Tallman,
Carr, Geltz, Mallery, Taylor,
Chapman, Gourley, McGinnis, Thomas,
Coleman, Haluska, McQuiddy, Tyler,
Cox, Heyburn, Mundy, Wade,
Crider, Holland, Ruth, Walker,
Crowe, Homsher, Scarlett, Watkins,
Deitrick, James, Shapiro, Wilson, H. I.,
Dent, Jaspan, Snowden, Woodring,
DiSilvestro,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 388, entitled:

An Act to amend sections three and four of and to add section 6.1 to the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense acitivities," by extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties, cities, boroughs and incorporated towns.

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer an amendment.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendments as follows: Amend sec. 1 (Sec. 420A), page 3, lines 10, 11 and 12, by striking out the words "regardless of whether such contracts were issued before or after such minors reached the age of eighteen years".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 389, entitled:

An Act to amend clause (g) of section three of and to add section fourteen and one-tenth to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section three of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" is hereby amended to read as follows

Section 3 Definitions The following words terms and phrases where used or referred to in this act shall have the meanings ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

(g) "Field of Operation" The area within the territorial boundaries of the city or county for which the particular housing authority is created Provided however That the field of operation of any county authority except as hereinafter provided shall not include a city having a population of thirty thousand inhabitants or over For the purpose of section 14.1 of this act only "field of operation" shall also include any county city borough or incorporated town or any portion thereof not included in said area in which the housing authority exercises its powers under the provisions of section 14.1 of this act

Section 2 Said act is hereby amended by adding between sections fourteen and fifteen thereof a new section to read as follows

Section 14.1 Cooperation with Counties Cities Boroughs and Incorporated Towns For the purpose of cooperating with and assisting counties cities boroughs and incorporated towns a housing authority may exercise its powers in the territory within the boundaries of any county city borough or incorporated town not included in the area in which such housing authority is then authorized to function or in any designated portion of such territory after the governing body of such county city borough or incorporated town as the case may be adopts a resolution declaring that there is a need for an authority to function in such territory or in such designated portion thereof If a housing authority has previously been authorized to exercise its power in such territory or designated portion such a resolution shall not be adopted unless such housing authority finds that ultimate economy would thereby be promoted and such housing authority shall not initiate any housing project in such territory or designated portion after the adoption of such a resolution As used in this act the term "housing authority" shall mean a housing authority established pursuant to the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 955) entitled "An act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments" and the amendments thereto

Section 2 Effective Date The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECONSIDERATION OF SENATE BILL No. 404

Mr. JAMES. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 404, entitled:

An Act to amend section one of the act, approved the twenty-fourth day of April, one thousand nine hundred thirty-one (P. L. 48), entitled "An act requiring the recording of certain written agreements pertaining to real property, and prescribing the effect thereof as to subsequent purchasers, mortgagees, and judgment creditors of the parties thereto," requiring that written agreements pertaining to real property be acknowledged by the sellers or grantors therein.

passed second reading.

The PRESIDENT. How did the Senator vote?

Mr. JAMES. Mr. President, I voted "aye".

Mr. GOURLEY. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GOURLEY. Mr. President, I voted "aye".

The motion was agreed to.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. JAMES offered the following amendments: Amend sec. 1 (Sec. 1), page 2, line 9, by striking out with light-face brackets the word "shall" and inserting in lieu thereof "may"; amend sec. 1 (Sec. 1), page 2, line 12, by striking out with light-face brackets the word "shall" and inserting in lieu thereof "may".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. JAMES offered the following amendment: Amend title, page 1, lines 7 and 8 of title by striking out the words "requiring that" and inserting in lieu thereof "permitting".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 407, entitled:

An Act to amend section three of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violations of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" providing for the waiving of the requirement for the holding of meetings by societies under certain conditions

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1092) entitled "An act defining fraternal benefit societies and their status authorizing such socieities to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections providing for the organization and incorporation of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign socieities designating tables of mortality as a basis for rates of contribution requiring all societies to make annual and other reports and appointing the Insurance Commissioner as attorney for service of process providing penalties for any violation of the act exempting such societies from taxation and certain other societies from its provisions and requiring beneficial associations other than fraternal benefit societies to report to and be supervised by the Insurance Commissioner and repealing existing laws" is hereby amended to read as follows

Section 3 Representative Form of Government Defined Any society shall be deemed to have a representative form of government when it shall provide in its constitution and laws for a supreme legislative or governing body composed of representatives elected either by the members or by delegates elected directly or indirectly by the members together with such other members as may be prescribed by its constitution and laws Provided That the elective members shall constitute a majority in number and not less than the number of votes required to amend its constitution and laws And provided further That the meetings of the supreme or governing body and the election of officers representatives or delegates shall be held as often as once in four calendar years unless due to war emergency the government of the United States of America or any of its agencies has limited or prohibited travel and meeting or convention purposes in which event upon request by the society the Insurance Commissioner may at his discretion either waive the requirement that such meeting be held or extend the time for holding such meeting the privilege of so requesting such waiver or extension to be permitted only during such time as the limitation or prohibition on travel shall continue No member under age sixteen shall have voice or vote in the management of the society No member officer representative or delegate shall vote by proxy

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finall

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,

NAYS—14

Barr,
Coleman,
Cox,
Dent,
Gourley,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. JAMES. Mr. President, I ask unanimous consent that Senate Bill No. 422, on third reading, entitled:

An Act to further amend section one of the act, approved the sixteenth day of April, one thousand nine hundred seven (P. L. 92), entitled as amended "An act defining the duty of coroners, where death is sudden or violent, or is of a suspicious nature and character, and of police, and health authorities, in this Commonwealth, in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner, but where it appears the cause of death is not surrounded by suspicious circumstances," by providing that investigations of deaths caused by accidents shall be made by the coroner of the county in which the accident causing death occurred.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 462, entitled:

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learners permit examination or additional fee and while in such service the operation of motor vehicles without operator's license or motor vehicle registrations and the temporary suspension of existing laws requiring the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any person serving in the armed forces of the United States or in any women's organization officially connected therewith during any part of the war in which the United States is now engaged and who shall have had a Pennsylvania motor vehicle operators license issued to him or her for the license year immediately preceding his or her entrance into such military service may have upon his or her honorable discharge from such service and for a period of one year thereafter a renewal of such operators license in the same manner as annual renewals of operators licenses are made without being required to secure a learners permit take an examination or pay any fee other than such as may be required by law for the annual renewal of an operators license if he or she shall satisfy the following requirements

(1) He or she shall have an honorable discharge from the service

(2) Application for the operators' license shall be made within sixty days after the date of such honorable discharge

(3) He or she is not physically or mentally incapacitated at the time of the application for renewal

(4) In the event that his or her certificate of honorable discharge reveals that injuries were sustained during service the application must be accompanied by the certificate of a licensed physician that the applicant is physically and mentally able to operate a motor vehicle

(5) Each application shall be sworn to before a magistrate alderman or justice of the peace who shall certify thereon that he has seen and examined the applicant's certificate of honorable discharge and that it is dated less than sixty days before the application was made

Section 2 Any person while serving in the United States forces as hereinbefore described during any part of the war in which the United States is now engaged and for a period of one year after the termination thereof who shall have had a Pennsylvania motor vehicle operator's license issued to him or her for the license year in which he or she entered such service or for the license year immediately preceding his or her entrance into such service shall have the right to operate a motor vehicle on the highways of this Commonwealth without having a renewal of such operator's license for the current year and without the payment of any fee provided such person is not physically or mentally incapacitated

Section 3 The Secretary of Revenue is hereby authorized to suspend all provisions of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace and courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vericles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" and all other acts and parts of acts in so far as they are inconsistent with the provisions of this act

Section 4 The provisions of this act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Woodring.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 487 on third reading, entitled:

An Act to amend section three of the act approved the third day of May one thousand nine hundred and nine (P. L. 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" by providing for granting of warrants and rights to certain additional lands

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 533, entitled:

An Act to amend the title and Section 1 of and to add Sections 2.1 2.2 2.3 and 2.4 to the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 496) entitled "An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands" providing that in counties of the seventh and eighth classes taxes on unseated lands shall be returned by the tax levying authorities to the county commissioners and collected by the county treasurer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and section one of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 496) entitled "An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands" are hereby amended to read as follows

An Act providing that taxes on unseated lands except in counties of the seventh and eighth classes shall be collected and returned in the same manner and at the same time as taxes on seated lands and that in counties of the seventh and eighth classes such taxes shall be returned to the county commissioners and collected by the county treasurer

Section 1 Hereafter all taxes on unseated lands within the Commonwealth of Pennsylvania except in counties of the seventh and eighth classes shall be collected and returned in the same manner and at the same time as now provided by the laws of this Commonwealth for the collection and return of taxes on seated lands

Section 2 The said act is hereby amended by adding thereto after section two four new sections to read as follows

Section 2.1 In counties of the seventh and eighth classes taxes charged upon unseated lands shall be certified and returned by the several authorities levying the same to the county commissioners on or before July first of each year

The county commissioners shall certify such returns to the county treasurer whose duty it shall be to receive the taxes contained in such returns

Section 2.2 In counties of the seventh and eighth classes all taxes levied upon unseated lands shall be paid to the county treasurer by the owner or owners of such unseated lands within the year for which the same are levied and in case of the refusal or failure of any owner or owners of such unseated lands to pay the taxes so levied within the year for which the same are levied and collectible then interest at the rate of six per centum per annum is to be charged upon the amount of said taxes or any part thereof remaining due and unpaid from and after the first day of the year following that for which said taxes were levied until the same has been paid in full or the land sold as provided by law for the sale of unseated lands

Section 2.3 In counties of the seventh and eighth classes when taxes upon unseated lands are paid to a county treasurer by the owners or claimants of said lands it shall be the duty of such treasurer to enter such payments upon the proper book kept by him for the purpose and if requested by the person paying such taxes give a certified copy under the official seal of said county treasurer of the entries in such book specifying the name of the person or persons as whose property such lands are taxed the location of such lands the number of the warrant and the number of acres or other description thereof the kind and amount of taxes assessed thereon and so paid the date of payment of the same and the name of the person or persons paying the said taxes and for whose use the same are paid Provided That the said treasurer shall be entitled to receive therefor from the person demanding the said receipt or certified copy the sum of twenty-five cents

Section 2.4 In counties of the seventh and eighth classes it shall be the duty of the said treasurer on receiving the said taxes or any part thereof and not before to pay over the amount thereof to the tax levying authorities who shall respectively be entitled to the same

Section 3 The provisions of this amendment shall become effective for taxes on unseated lands in counties of the seventh and eighth classes for the year one thousand nine hundred forty-four

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick.
Dent,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Homsher,
James.
Jaspan,
Jones,
Kephart,
Letzler.
Mallery.
McGinnis,
McQuiddy.
Mundy.
Ruth.
Scarlett,
Shapiro.
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler.
Wade.
Walker,
Wilson, H. I.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. COLEMAN. Mr. President, I ask unanimous consent that House Bill No. 551, on third reading, entitled:

An Act to amend section four of the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2821), entitled "An act to regulate the sale, and advertising for sale, of goods, wares, and merchandise purporting to be an insurance bankruptcy, mortgage, insolvent, assignees, receivers, trustees, removal, or closing-out sale, or sale of goods damaged by fire, smoke, or water, in cities and certain boroughs of this Commonwealth; and to prevent fraudulent practices in connection therewith, and providing penalties for the violation thereof, and for the imposition of license fees for permission to conduct the same," by forbidding the continuation of the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 644, entitled:

An Act to further amend sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery and fixing fees therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the dispposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 815) are hereby further amended to read as follows

Section 511 Special Hauling Permits The fee for a special hauling permit which is issued for a single trip and which designates the route to be traversed as provided for in clause (a) of section six hundred and ten shall be five ($5) dollars and two ($0.02) cents per ton of two thousand (2000) pounds or fraction thereof of gross weight of vehicle and load for each mile or fraction thereof of length of haul payable to the authorities issuing such permit

The annual fee for a special permit which is issued for the license year and authorizes the operation or movement of heavy quarry equipment and machinery as provided for in clause (b) of section six hundred and ten shall be ten ($10) dollars

Section 610 Permits for Excessive Size and Weight

The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdictions may at their discretion upon application in writing accompanied by the fee provided in this act and good cause being shown therefor issue [a] special [permit] permits in writing authorizing the applicant to operate or move [a tractor or trailer of a size and weight exceeding the maximum specified in this act] upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible (a) a tractor or trailer of a size and weight exceeding the maximum specified in this act Every such permit shall be issued for a single trip and shall designate the route to be traversed and (b) any heavy piece of quarry equipment or machinery of a size and weight exceeding the maximum specified by this act across any highway from one part of a quarry to another or upon the highways connecting by the most direct route any quarries or portion of quarries under the single ownership or operation of such person this permit to be issued for the license year as provided by this act Any of the above permits shall be subject to such rules and regulations and any other conditions or restrictions including the obligation on the part of the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not the same was attributable to negligence on the part of the permittee as shall be deemed necessary by the authorities granting such permit Each such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any peace officer or person having collision with the tractor or trailer

Penalty Any person operating or moving a tractor or trailer and its load of a size or weight exceeding the maximum specified in this act without first having obtained a permit or permits so to do shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth.
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Wilson, H. I.,
Woodring.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 688, entitled:

An Act authorizing political subdivisions to refund money erroneously or inadvertently paid by persons and corporations into the treasury thereof for municipal improvements or upon municipal assessments liens whereof have been subsequently declared illegal and invalid

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any person or corporation of this Commonwealth has erroneously or inadvertently paid or caused to be paid into the treasury of a political subdivision directly and indirectly any money for a municipal improvement for which a lien was threatened to be filed or was subsequently filed under an assumption that such municipal assessment or lien was due and owing when in fact such municipal assessment and or lien or a part thereof was not due and owing to the political subdivision or such municipal assessment or lien was not legal and valid at the time payment was made or was subsequently declared illegal and invalid by a court of competent jurisdiction then in such cases the corporate authorities of the political subdivision upon due proof of any such erroneous or inadvertent payments being made within a period of two years from the time of payment thereof are hereby authorized to draw their warrant on the treasurer in favor of such person or corporation to make refund of such money to which the political subdivision has no valid claim out of the public funds

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,

NAYS—13

Barr,
Coleman,
Cox,
Dent,
Gourley,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Stiefel,
Woodring.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Mr. BARR. Mr. President, I desire to explain my vote on the bill that just passed.

In case any of these gentlemen in the Senate are interested in a borough or township, I think they will find now that they are going to be overrun with taxpayers, who, during the W.P.A. program paid money to have their sidewalks and so forth repaired by the W.P.A., and I think if you are going to pass bills such as these, we are going to ruin the financial structure of many boroughs and townships in this state.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 694, entitled:

An Act to amend sections, one, five, seven, nine and twelve, and to repeal section six of the act, approved the twenty-seventh day of May, one thousand nine hundred and thirty-seven (P. L. 901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers, and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties," by changing definitions, the period of the license and the fee therefor, and the contents of records; eliminating the requirement for a bond, and adding to the reasons for refusing licenses.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, House Bills No. 694, 695, 696 and 697 are all bill pertaining to the same subject. I have been delegated to study them, and inasmuch as they are House bills, I do not think that it would be asking too much to allow the bills to go over until tomorrow, in order that I may look them over, so that we do not vote against something that might be a good thing.

BILLS OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that House Bill No. 694, on final passage go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT. Mr. President, I ask unanimous consent that House Bill No. 695 on third reading, entitled:

An Act to repeal the act, approved the twenty-third day of June one thousand eight hundred ninety-seven (P. L. 202), entitled "An act to prevent fraud and deception in the manufacture and sale of cheese, and defining what shall constitute the various grades of cheese, providing rules and regulations for marking and branding the same, providing for the enforcement of this act, prescribing penalties for its violation."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT. Mr. President, I ask unanimous consent that House Bill No. 696 on third reading, entitled:

An Act to repeal the act, approved the eighteenth day of June, one thousand eight hundred ninety-seven (P. L. 168), entitled "An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars, prescribing their standard, to prevent the adulteration of the same, providing for the enforcement thereof, and punishment for the violation of the same."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT. Mr. President, I ask unanimous consent that House Bill No. 697 on third reading, entitled:

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 650), entitled "An act requiring persons, associations, partnerships, and corporations, and their agents, herein defined as dealers and brokers, engaging in the business of buying, receiving, selling, exchanging, negotiating, or soliciting the sale, resale, exchange, or transfer of certain domestic animals, to be licensed by the Department of Agriculture; providing for the revocation of such licenses; imposing certain duties on such dealers and brokers, and their agents; conferring powers on said department; and providing penalties," by changing the definition of "dealer."

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 99 CALLED UP

Mr. BARR. Mr. President, I move that the Senate do now reconsider the action by which Senate Bill No. 99, appearing on page 4 of today's Calendar, was placed on the postponed Calendar for tomorrow.

Mr DENT. Mr. President, I second the motion.

Whereupon,

A voice vote having been taken, the Chair declared the motion to have been lost.

Mr. BARR. I might state, Mr. President, as to Senate Bill No. 99, there were sufficient votes on this side of the Senate to pass the bill today, but I do not think they will be here tomorrow.

BILL ON SECOND READING

BILL RECOMMITTED

Mr. WADE. Mr. President, I move that Senate Bill No. 79, on second reading, entitled:

An Act relating to the investing, reinvesting, acquiring, exchanging, retaining, selling, and managing property by fiduciaries, and revealing acts or parts of acts inconsistent herewith.

be recommitted to the Committee on Banking for the purpose of further consideration and study.

Mr. STIEFEL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 72, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," providing for the divestiture of judgments obtained thereunder by tax sales heretofore or hereafter made.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 88, entitled:

An Act to further amend section two and clause (d) of section four of the act, approved the twenty-fourth day of June, One thousand nine hundred thirty-seven (P. L. 2051), entitled, "An act relating to public assistance, providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and County boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Goverment for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," discontinuing the requirement that in certain cases when relief is given milk orders shall be included in such relief.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 127, entitled:

An Act permitting certain organizations to conduct the playing of the game of bingo under certain circumstances; providing for the issuance, suspension and revocation of licenses therefor and for payment of a registration fee, and providing penalties.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 166, entitled:

An Act to amend the title and section three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted, providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons, providing for guardians of the person and property of such persons, providing for the arrest and seizure and sale of the property of deserters" by extending certain resonsibilities of said act to the support of all indigent persons whether or not they are publicly cared for or assisted.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 228, entitled:

An Act to further amend section four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by postponing the time for the taking effect of orders of the Pennsylvania Liquor Control Board suspending or revoking licenses for a period of twenty days during which time the licensee may take an appeal.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 244, entitled:

An Act reducing for a limited period of time the training period of interneship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 246, entitled:

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 266, entitled:

An Act to provide for the publication of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports conferring powers and imposing duties on the State Reporter the Department of Property and Supplies and the Secretary of the Commonwealth, providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof and repealing certain acts and parts of acts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 478, entitled:

An Act to amend section two of the act, approved the second day of June, one thousand eight hundred and eighty-three (P. L. 61), entitled "An act supplementary to an act, entitled 'An act for the incorporation and regulation of corporations,' approved April, twenty-ninth, one thousand eight hundred and seventy-four, authorizing the incorporation of pipe lines for the transportation of petroleum, and providing for the exercise of the right of eminent domain in taking lands and property for such purposes," by enlarging and extending the powers of such companies including the acquisition and disposition of franchises, shares of stock and property of such companies in this and other states, the distribution and storage of oil and petroleum products, the use of connecting lines and equipment of other companies and procedures and refiners, the construction and maintenance of connecting pipe lines or branches, pumps, tanks and other equipment within and without the State; extending the power of eminent domain; preserving the jurisdiction of the Pennsylvania Public Utility Commission; and regulating the laying of pipes by such companies and by foreign companies including companies incorporated under the Act of Congress, and the erection and protection of storage tanks.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, April 7, 1943, at 3:00 o'clock p. m. Eastern War Time.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:37 o'clock p. m. Eastern War Time until Wednesday, April 7, 1943, at 3:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 6, 1943

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O Lord God, our Father, guide, we beseech Thee, those who have authority in our towns and cities, states and nation that all the skill and beauty of our hearts and minds may be drawn into the service of the people for the glory and the delight of men. Give this legislature inspiration and courage, O Lord, to sweep away all mean and unworthy desires and give ourselves gladly and generously in the constant endeavor to rescue and emancipate the needy and helpless so that Thy Kingdom may come on earth, for Christ's sake. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, April 5, 1943.

The Clerk proceeded to read the Journal of Monday, April 5, 1943, when, on motion of Mr. THRASHER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. CORDIER. HOUSE BILL No. 1088.

An Act to amend sections one and two of the act, approved the seventh day of August, one thousand nine hundred forty-one (P. L. 887), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Welfare, to acquire certain land adjacent to and for the use of the Scranton State Hospital, providing for the improvement and use thereof, authorizing the City of Scranton to pay the costs of such improvements in whole or in part, and making an appropriation," further providing as to the improvement and use of the land acquired under authority of said act.

Referred to the Committee on State Government.

By Mr. MURRAY. HOUSE BILL No. 1089.

An Act to amend section three of the act, approved the tenth day of June, one thousand nine hundred thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," by relaxing, for a limited period of time, certain qualifications for applicants to take examinations for undertakers' licenses, where such applicants have completed five years continuous employment with a duly licensed undertaker.

Referred to the Committee on Professional Licensure.

By Mr. SORG. HOUSE BILL No. 1090.

An Act to amend article fourteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by adding thereto a new section authorizing boards of school directors to arrange to furnish transportation for pupils legally attending other schools than the public schools in such district; and authorizing certain reimbursement by the Commonwealth for the costs of such transportation.

Referred to the Committee on Education.

By Mr. BRADLEY. HOUSE BILL No. 1091.

An Act permitting the collection and purchase of bottles in which malt or brewed beverages was contained, and for which no cash deposit was made by the purchaser.

Referred to the Committee on Liquor Control.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 142.

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon providing for and imposing powers and duties upon a Capitol Park Extension Commission conferring powers and duties upon the Department of Property and Supplies and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 165.

An Act to amend section six hundred seven, and to further amend section seven hundred one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the appointment of certified public accountants for the purpose of auditing the accounts of the Auditor General and requiring the Auditor General to submit all books, records and papers to such accountants.

Referred to the Committee on State Government.

SENATE BILL No. 207.

An Act providing for commissioning as police officers, certain employes of institutions maintained in whole or in part by the Commonwealth; conferring upon them the powers of constables in certain cases; and imposing duties on wardens and keepers of jails, police stations and lockups.

Referred to the Committee on State Government.

SENATE BILL No. 239.

An Act to amend sections one and two of the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commissions, after popular referendum, and the appointment of their members by the county commissioners; prescribing the powers and duties of such commissions," by providing for abolition of existing mosquito extermination commissions after popular referendum.

Referred to the Committee on Counties.

SENATE BILL No. 240.

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting alumni or alumnae associations from the provisions of the act in certain cases.

Referred to the Committee on Judiciary Special.

SENATE BILL No. 267.

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped.

Referred to the Committee on State Government.

SENATE BILL No. 301.

An Act to amend section one hundred four, clause (a) of section two hundred five, clause (a) of section two hundred twelve, section four hundred three, section five hundred five and to add clause (d) to section five hundred two of the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 159), entitled "An act amending, revising, consolidating and changing the law relating to the borrowing of money by certain political subdivisions, the authorization, issuance and sale of general obligation bonds as herein defined, of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes, and to the funding of debt and the refunding of bonds; regulating the keeping and use of sinking funds; imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions; imposing penalties, and repealing existing laws," clarifying and correcting the provisions of said sections and providing for the funding of debts represented by judgments entered by courts

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 313.

An Act authorizing the Department of Public Instruction to act as agent for the several school districts and vocational school districts in the purchase, without bids, and distribution among such districts of materials, supplies and equipment subject to priorities and on which prices have been stabilized, to be used in vocational education of workers on war work; and validating such action heretofore taken.

Referred to the Committee on Education.

SENATE BILL No. 320.

An Act to amend the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1019), entitled "An act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, reenactments and repeals of statutes," further providing for the position of the enacting clause, and the construction of provisos; prescribing effect of amendments on limitations and periods of time; and further defining the phrase "political subdivision."

Referred to the Committee on Judiciary General.

SENATE BILL No. 346.

An Act suspending for the duration of the present national emergency, and for six months thereafter, the statutory provisions as to advertising and competitive bidding on contracts of counties, institution districts, and cities for the purchase of goods, materials, and merchandise which are rationed or on which a maximum price ceiling has been fixed under regulations of the Federal Government, and providing for the award of contracts in such cases to the lowest and best bidder after due inquiry.

Referred to the Committee on Municipal Corporations.

PETITIONS AND COMMUNICATIONS

The SPEAKER laid before the House the following petitions and communications which were read by the Clerk.

BLIND

A communication from the Pennsylvania Federation of the Blind, Philadelphia, praying for the passage of House Bill No. 245.

Referred to the Committee on Appropriations.

BUILDING AND LOAN ASSOCIATIONS

Communications favoring and protesting passage of House Bill No. 486.

Referred to the Committee on Building and Loan Associations.

SCHOOL TAXES

A communication from the Pittsburgh Real Estate Board praying for the passage of legislation providing for the payment of entire cost of public schools by the State.

Referred to the Committee on Education.

BIRDS

Communications protesting the passage of House Bill No. 848, providing for a bounty on predatory birds.

Referred to the Committee on Game.

CHIROPRACTIC LAW

A communication from the Chiropractor's Association of Pennsylvania protesting passage of House Bill No. 893.

Referred to the Committee on Professional Licensure.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. O'CONNOR for himself for the remainder of the week after today's session.

REPORTS FROM COMMITTEES

Mr. McMILLEN, from the Committee on Education, reported as committed, House Bill No. 135, entitled:

An Act to further amend section one thousand two hundred five A of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing temporary increases in compensation of professional employes of school districts, and the discontinuance of such temporary increases without the consent of such employes.

Mr. SIMONS, from the Committee on State Government, reported as committed, House Bill No. 153, entitled:

An Act authorizing the Department of Property and Supplies with the advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania, certain land upon which is located the site of Fort LeBoeuf in Waterford Borough, Erie County, or so much thereof, as may be necessary as a historical memorial providing for the control, management, supervision, improvement, restoration and maintenance thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof, authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Colonists and interested patriotic societies in providing funds for a restoration of Fort LeBoeuf and making an appropriation.

Mr. MOSER, frof the Committee on State Government, reported as committed, House Bill No. 386, entitled:

An Act to further amend clauses six and nine of section one and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining State employes and original members and making further exception to compulsory membership in the system.

Mr. WATKINS from the Committee on State Government reported as committed, House Bill No. 424, entitled:

An Act to amend section eighteen and one-tenth of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," extending the special file for the records of births of veterans of the World War to veterans of certain other wars.

Mr. MILLER from the Committee on Ways and Means reported as committed, House Bill No. 523, entitled:

An Act to amend subsection (c) of section twelve hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals of the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" by excepting therefrom the transfer of stock assigned by a decedent before his death as collateral security for a loan and requiring the holder of such stock to report concerning the sale thereof to the Department of Revenue.

Mr. JAMES from the Committee on Ways and Means reported as committed, House Bill No. 544, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended, "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or whole sale; and providing penalties," as previously re-enacted and amended, by extending the provisions of the act for a further limited period of time.

Mr. McCLESTER from the Committee on Ways and Means reported as committed, House Bill No. 545, entitled:

An Act to further amend section four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

Mr. GATES from the Committee on Ways and Means reported as amended, House Bill No. 546, entitled:

An Act to reenact and amend the title and the act, approved the sixteenth day of May, one thousand nine hundred and thirty-five (P. L. 208), entitled, as amended, "An act to provide revenue for State purposes by imposing an excise tax, for a limited period of time, on the net incomes of certain corporations, joint-stock associations, and limited partnerships; providing for the assessment, collection, settlement and resettlement of taxes, and reviews and appeal therefrom; conferring powers, and imposing duties on certain persons, corporations, joint-stock associations, limited partnerships, State and county officers, boards, and departments; making an appropriation; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time; by further defining net income; authorizing the Department of Revenue to grant an additional extension of time for filing reports; changing the method of reporting in certain cases; and reducing the interest penalty on unpaid taxes.

Mr. HOFFMAN, from the Committee on Ways and Means, reported as amended, House Bill No. 547, entitled:

An Act to further amend the act, approved the first day of June one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons, and by further defining the gross receipts tax liability of companies, limited partnerships, associations, joint stock associations, copartnerships and persons engaged in the sale of electric energy

Mr. HUNTLEY, from the Committee on Ways and Means, reported as committed, House Bill No. 548, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six—P. L. 13), entitled, "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended, by extending the provisions thereof for a further limited period of time.

Mr. AUKER, from the Committee on Ways and Means, reported as committed, House Bill No. 1056, entitled:

An Act abolishing the entire Mercantile License Tax System; repealing the various license taxes under said system except as to taxes already due; abolishing certain offices and employments; providing for the collection of delinquent taxes; providing for the final settlement of accounts between the Commonwealth and county treasurers; and making certain repeals.

Mr. PETROSKY, from the Committee on Mines and Mining, reported as committed, House Bill No. 583, entitled:

An Act to further amend section fourteen of article four and section one of article five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," further regulating lamps to be carried by shot-firers and fire bosses.

Mr. IRVIN, from the Committee on Cities—First Class, reported as committed, House Bill No. 591, entitled:

An Act to amend section two of the act, approved the eighth day of April, one thousand nine hundred and thirty-seven (P. L. 256), entitled "An act relating to counties of the first class, and the duties of the treasurers thereof in connection with the collection of certain taxes, fees, license taxes, and license fees payable to the Commonwealth, and making provision for the disposition of the compensation therefor heretofore received by such treasurers," by authorizing the county treasurers in counties of the first class to deduct from moneys collected by them for the Commonwealth the amount of premiums paid by them for the bonds which they are required to furnish to protect and safeguard the funds of the Commonwealth in their hands.

Mr. HARE, from the Committee on Education, reported as committed, House Bill No. 624, entitled:

An Act to further amend section two thousand six hundred twenty-three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the fixing of the compensation of the controller auditing the accounts of second and third class school districts.

Mr. WALLIN, from the Committee on Education reported as committed, House Bill No. 679, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by increasing the term of the county, assistant county, district and assistant district superintendents.

Mr. MURRAY, from the Committee on Cities—First Class, reported as committed, House Bill No. 720, entitled:

An Act requiring certain taxes of the political subdivisions in Counties of the First Class to be stricken from the records; prohibiting such taxes from being included in the computation of the solvent debts of such political subdivisions; providing for the collection thereof.

Mr. BRETHERICK, from the Committee on State Government, reported as committed, House Bill No. 723, entitled:

An Act to amend sections one, two and three of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 727), entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' authorizing the Auditor General to appoint investigators and appraisers and providing for their compensation," by giving the Secretary of Revenue complete supervision of appraisements in estates of resident decedents and the power to adopt rules and regulations, by conferring upon the Secretary of Revenue the power to employ necessary investigators and appraisers for the enforcement of the transfer inheritance tax laws and to fix the compensation of permanent appraisers.

Mr. BRETHERICK, from the Committee on State Government, reported as committed, House Bill No. 751, entitled:

An Act to amend section twelve, and to further amend section fourteen, and to amend sections fifteen, eighteen, twenty-two, twenty-three, twenty-six, twenty-nine, thirty-one, thirty-six, forty and forty-two of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by providing for certification to the Secretary of Revenue as to the necessity for the appointment of expert appraisers or those possessed of technical knowledge and for the approval by the Secretary of Revenue of the appointment of such expert appraisers and of the statements rendered by them for compensation; and for the monthly transmittal by the Secretary of Revenue of the returns of such appraisers and the recording by him thereof; vesting in the Secretary of Revenue the powers of the register of wills in certain cases; requiring duplicate tax receipts and the bond and monthly return to be sent to the Secretary of Revenue; prohibiting transfer of stock without certificate from the Secretary of Revenue, and penalty for violation; providing for refunds for erroneous inheritance tax payments on proof of the Secretary of Revenue and for dismissal by the Secretary of Revenue of appraisers for accepting fees or rewards; vesting in the Secretary of Revenue the power to appoint and fix the compensation of additional appraisers or experts employed for appraisal purposes and for their payment; and providing further for the collection by the Secretary of Revenue of all inheritance taxes due the Commonwealth from nonresident decedents and making monthly reports thereon to the State Treasurer.

Mr. GARBER, from the Committee on Counties, reported as committed, House Bill No. 752, entitled:

An Act to further amend section four hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare, and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by increasing the sum which institution districts may provide for certain burials.

Mr. DENNISON, from the Committee on Motor Vehicles, reported as committed, House Bill No. 767, entitled:

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," changing the provisions of said act relating to registration plates and the issuance thereof by the department.

Mr. BRETHERICK, from the Committee on State Government, reported as committed, House Bill No. 768, entitled:

An Act to amend sections four hundred seven and one thousand two hundred and one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," to further reorganize the Departments of Revenue and of the Auditor General in such manner as to vest in the Department of Revenue the appointment, the fixing of the compensation, and the approval of the expense accounts and supervision of clerks, investigators, appraisers, expert appraisers, permanent appraisers, and other employes necessary to enable the registers of wills of the several counties to collect transfer inheritance taxes; vesting in the Secretary of Revenue the power to credit the commissions and other expenses and costs of certain accounting officers in the collection of the transfer inheritance tax.

Mr. SIMONS, from the Committee on Motor Vehicles, reported as committed, House Bill No. 771, entitled:

An Act to amend section three hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," changing the provisions of said act relating to registration plates and the issuance thereof.

Mr. GREENWOOD, from the Committee on Motor Vehicles, reported as committed, House Bill No. 780, entitled:

An Act to amend the definition of "Trailer" in section one hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner, shall be exempt from registration fees.

Mr. ROYER, from the Committee on Motor Vehicles, reported as committed, House Bill No. 789, entitled:

An Act to amend the definition of "Trailer" in section one hundred two, as amended, of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," provided that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner, no registration fee shall be required therefor.

Mr. HARE, from the Committee on Motor Vehicles, reported as committed, House Bill No. 798, entitled:

An Act to further amend subsection (b) of section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the provisions of said act relating to the further revocation and suspension of operating privileges of persons who operate motor vehicles while their operators' licenses or learners' permits are revoked or suspended.

Mr. HAMILTON, from the Committee on Counties, reported as committed, House Bill No. 805, entitled:

An Act providing for the appointment of a clerk to the jury commissioners in counties of the third class by the court of common pleas; the fixing of his salary by the salary board, and the payment thereof by the county.

Mr. STANK, from the Committee on Highways, reported as committed, House Bill No. 927, entitled:

An Act to further amend the act approved the twenty-second day of June, one thousand nine hundred thirty-one, (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing certain routes and adding certain new routes.

Mr. WATKINS, from the Committee on Highways, reported as committed, House Bill No. 937, entitled:

An Act to amend section two of the act approved the twenty-second day of June, one thousand nine hundred thirty-one, (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes and adding certain new routes.

Mr. HOCKE, from the Committee on Highways, reported as committed, House Bill No. 940, entitled:

An Act to further amend section two of the act approved the first day of June, one thousand nine hundred thirty-three, (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by changing certain routes and adding certain new routes.

Mr. ROOT, from the Committee on Cities—First Class, reported as committed, House Bill No. 944, entitled:

An Act to further amend the first paragraph of section nine of the act, approved the twelfth day of July, one thousand nine hundred thirteen (P. L. 711), entitled "An act estalishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by providing for the appointment of a director of probation and other employes, and providing for the fixing of their salaries.

Mr. FINNERTY, from the Committee on Cities—First Class, reported as committed, House Bill No. 989, entitled:

An Act to amend clause three of section thirteen of article nineteen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by providing that persons certified by the Civil Service Commission as eligible for appointment or promotion to various positions who are prevented from accepting such appointment or promotion because of their entrance into the armed forces of the United States Government during time of war, shall be retained on a preferred eligible list for such appointments or promotions until two years after the termination of hostilities in such war.

Mr. SAMUEL ROSE, from the Committee on State Government, reported as committed, House Bill No. 1082, entitled:

An Act authorizing the Governor of the Commonwealth of Pennsylvania, for a limited period of time, to suspend or modify laws either in whole or in part under certain circumstances, during the existence of the present war.

Mr. BRETHERICK, from the Committee on State Government, reported as committed, House Bill No. 722, entitled:

An Act to amend section one of the act, approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 782), entitled "An act providing that clerks assisting the registers of wills in the collection of inheritance taxes, in counties having a population of less than one million five hundred thousand inhabitants, shall be appointed and their compensation fixed by the Auditor General; and prescribing the method of their payment and that of other expenses incident to the collection of said taxes," by providing that the Secretary of Revenue shall appoint and fix the compensation of clerks assisting the register of wills in the collection of inheritance taxes in counties other than the first and second class and requiring the approval of the Secretary of Revenue to pay the compensation from such taxes.

Mr. FREED, from the Committee on Corporations and Industry, reported as committed, Senate Bill No. 281, entitled:

An Act to amend section one of the act approved the eleventh day of May one thousand eight hundred ninety three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" authorizing certain corporations to make allowances or pensions to officers or employes

Mr. HAUDENSHIELD, from the Committee on State Government, reported as committed, Senate Bill No. 296, entitled:

An Act to repeal the act approved the twenty-seventh day of June one thousand nine hundred thirteen (P. L. 652) entitled "An act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers, in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof; providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania, Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities; providing for the creation of a canal board to have charge of said work; prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on; providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred; providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances; imposing certain duties upon the Auditor General and State Treasurer; authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor; and making an appropriation for carrying out certain provisions of this act" as amended by the act of the seventeenth day of June one thousand nine hundred fifteen (P. L. 990).

Mr. ALSPACH, from the Committee on Judiciary General, reported as amended, House Bill No. 243, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto.

Mr. COSTA, from the Committee on Law and Order, reported as amended, House Bill No. 293, entitled:

An Act authorizing for a temporary period of time the employment of minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment.

Mr. JAMES, from the Committee on Ways and Means, reported as amended, House Bill No. 317, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by further extending the exemptions from the tax imposed by the said act.

Mr. COOPER, from the Committee on Judiciary General, reported as amended, House Bill No. 451, entitled:

An Act to add section seven and one-tenth to the act approved the sixteenth day of July, one thousand nine hundred forty-one (P. L. 400) entitled "An act to protect the debtors, obligors or guarantors of debts for which judgments are entered, or may be entered, and owners of real property affected thereby, and others indirectly liable for the payment thereof, by prescribing the method of fixing the fair market value of such property sold on execution, and limiting the amount collectible thereafter on such judgments," providing for the entry of release and discharge of said judgments under certain circumstances.

Mr. DAVID P. REESE, Jr., from the Committee on Ways and Means, reported as amended, House Bill No. 678, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collecting and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refunds; clarifying certain provisions relating to extensions of time for filing tax reports or returns; eliminating the provisions imposing interest on tax and bonus at any greater rate than six per centum per annum; changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time; providing for the automatic adjustment of interest liability so as to correspond to certain changes in tax or bonus liability; and further regulating the procedure for filing petitions for resettlement, petitions for review, appeals to court and the security accompanying such appeals.

Mr. McSURDY, from the Committee on Mines and Mining, reported as amended, House Bill No. 797, entitled:

An Act to amend section two of article five of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by providing that certain low pressure boilers used for heating purposes only, shall be exempt from the requirements of said section which prohibits the installation of boilers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal.

Mr. GILLAN, from the Committee on Ways and Means, reported as amended, House Bill No. 835, entitled:

An Act to further amend section ten of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable as those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," appropriating one-half cent per gallon of said tax for the maintenance, construction, reconstruction, resurfacing and improvement of certain roads, streets and bridges in certain political subdivisions.

Mr. MOSER, from the Committee on Federal Relations, reported as committed, House Resolution No. 44.

Mr. READINGER, from the Committee on Cities—Third Class, reported as amended, House Bill No. 20, entitled:

An Act to amend sections three thousand seven hundred nineteen, four thousand four hundred one, and four thousand four hundred two of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto," by extending civil service provisions to include park guards.

RESOLUTION REPORTED FROM COMMITTEE

Mr. LAUGHNER asked and obtained unanimous consent to report from the Committee on Rules as committed, Senate Concurrent Resolution, Serial No. 111, and for its immediate consideration.

The resolution was twice read as follows:

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, March 1, 1943.

The oil reserves of the Nation are being used up faster than oil is being produced.

It has been stated by competent authority that there will be a serious shortage of oil in the future unless new wells are developed.

The development of new wells can be accelerated only by the raising of the present ceiling price on crude oil.

The present profit per well is now so low that there is no incentive for the assumption of the risk attendant upon the drilling of new wells: therefore be it

Resolved (if the House of Representatives concurs), That the General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Office of Price Administration of the Federal Government to raise the ceiling price on crude oil so that there will be some prospect of profit held out to those who have oil land which could be developed, in order that the production of oil might be increased and the oil reserves of the country be raised, to normal levels; and be it further

Resolved, That a copy of this resolution shall be transmitted by the Chief Clerk of this House to the Office of Price Administration at Washington, D. C.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. COHEN. Mr. Speaker, there is no one who could have any quarrel with any program that will help the Pennsylvania oil producers or in fact that will help oil producers anywhere in America, if the proven fact is that rationing did not permit oil producers to make a profit. The only difficulty I find with the resolution before us, Mr. Speaker, is not that it proposes a certain thing, but rather the national import of it to all of us. It is rather a serious sort of resolution to vote upon without facts, proven facts in regard to the subject matter of the resolution that will give us the information necessary to intelligently vote upon it. There is no objection, of course, to this side of the House voting "aye" on this resolution. However, we make the mental reservation that we trust everything possible is being done for the good of producers in Pennsylvania, and we trust that the general price structure on oil will help Pennsylvania's producers in line with a national policy of production. We in Pennsylvania, I do not believe, want to have any preference over oil producers elsewhere in the nation, and we think the mental reservation ought to be made that if anything can be done for oil producers in America, without necessarily giving Pennsylvania any advantage, and if the oil situation generally throughout the nation can be made better, if the facts support the premise, then I suppose this resolution has a place, and can have some helpful effect generally throughout the country.

On the question recurring,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF THE ESTATE OF STEPHEN GIRARD

The SPEAKER laid before the House a report submitted by the Board of Directors of City Trusts, Philadelphia, of the state of Girard College, for the year 1942.

(For report see Appendix to Legislative Journal.)

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 393, entitled:

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 508, entitled:

An Act to amend sections one, four and seven of the act, approved the fourth day of June, one thousand nine hundred thirty-seven (P. L. 1595), entitled "An act relating to peace officers; providing for the qualifications and appointments of deputy sheriffs; regulating the manner of their selection and compensation; regulating the source of compensation for other peace officers; declaring void certain contracts inconsistent with the provisions hereof; providing penalties; and repealing inconsistent acts," by changing the method of appointing deputy sheriffs, and permitting the appointment of deputies as watchmen, bank police and payroll police in certain cases.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. LEE. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General, for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 56, entitled:

An Act authorizing the Department of Highways and counties cities boroughs towns and townships to adopt and take over as public roads and highways certain highways taken over located extended or constructed by the Federal Government or any agency thereof in the exercise of the war power and providing the procedure therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the Federal Government or any agency thereof has in the exercise of the war power taken over any existing public highway and has or has not relocated the same in whole or in part and has or has not constructed an extension thereof to a point not theretofore reached by a public highway or has constructed or caused to be constructed a highway where no highway theretofore existed the Department of Highways may with the consent in writing of the Federal Government

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. EWING offered the following amendment:

Amend as follows: Section 2, page 3, at the end of line six insert the following: "Approve such crossing or."

It was agreed to.

The section was agreed to as amended.

The third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 198, entitled:

An Act to amend section nine hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" continuing the liability of taxpayers after the tax collector has been exonerated

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 330, entitled:

An Act relative to the printing for the Commonwealth of Pennsylvania to establish the requirements of responsible bidders to prescribe penalties for the violation of the provisions of this act and to repeal all acts and parts of acts inconsistent with the provisions of this act

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 358, entitled:

An Act to amend section one thousand one hundred fifty six of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the regulation of encroachments on township highways and the issuing of permits therefor by the township supervisors instead of by the Department of Highways of the Commonwealth and for the payment of permit fees into the township treasury

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. GATES. Mr. Speaker, I move that this bill be recommitted to the Committee on Townships, for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 54, entitled:

An Act to further amend subsection fourteen of section six hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" exempting certain coin operated motion picture machines from provisions of the act requiring special permits

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 625, entitled:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) entitled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" by authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads bridges and viaducts wholly on State Armory properties and State Military Reservations and on the grounds of the Soldiers and Sailors' Home of Erie Pennsylvania

The first section was read.

On the question,

Will the House agree to the section?

Mr. WALLIN offered the following amendments:

Amend Section 1 (sec. 1), page 2, line 11, by striking out the following: "educational or".

Amend Section 1 (sec. 1), page 2, line 12, by inserting before the word "institution" the following: "or educational".

Amend Section 1 (sec. 1), page 2, line 12, by inserting after the word "institution" the following: "including The Pennsylvania State College".

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Mr. WALLIN offered the following amendment:

Amend Title, page 1, line 13 of title, by inserting after the word "Pennsylvania" the following: "and The Pennsylvania State College."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 663, entitled:

An Act to further amend Section 2 to amend Sections 3 and 5 to add Section 8.1 and to amend Section 11 of teh act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by reducing the number and changing the manner of appointment of members of said board further prescribing their powers and duties fixing the qualifications and requiring examinations of employes of the board further regulating the making of assessments and valuations of real property and imposing duties on certain county officers

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. STONIER. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Second Class, for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 778, entitled:

An Act to further amend subsection (k) of section eight hundred twenty-three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" amplifying the provisions relating to the display of official certificates of inspection by motor vehicle trailer or semi-trailer

The first section was read.

On the question,

Will the House agree to the section?

Mr. TROUT offered the following amendment:

Amend Sec. 1, page 2, line 14, by inserting after the word "Revenue" the following "the"

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 804, entitled:

An Act to further amend subsection (d) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" making certificates from an official speedometer testing station prima facie evidence of the facts contained therein in appeals taken from suspension or revocation of operating privilege

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 807, entitled:

An Act to further amend subsection (b) of section one thousand two hundred six of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles an dgarage keepers providing that records are admissable as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including certain pleas to b certified by the clerks of court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 841, entitled:

An Act to further amend section two hundred twenty-five of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 851, entitled:

An Act to amend section one thousand one hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the salary of the controller

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 871, entitled:

An Act to further amend sections two, three hundred five paragraph (4) of section six hundred two and section six hundred three of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for sumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by defining "Official Seal" and authorizing the designation of wholesale or retail stores

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 878, entitled:

An Act creating a revolving fund in the State Treasury to be used by the State Council for the Blind for making advancements to blind persons for the purchase of stock equipment and accessories necessary to operate vending or refreshment stands in locations leased or arranged for by said council providing for the repayment of such advancements authorizing the State Council for the Blind to adopt rules and regulations and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WACHHAUS. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study and amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 922, entitled:

An Act to add Clause XLVII to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating the townships of the first class to make appropriations to Veterans' Home Associations

The first section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. KOWALSKI offered the following amendment:

Amend title, page 1, lines 6 and 7 of title, by striking out the words "the townships of the first class to make appropriating" and inserting in lieu thereof: "and changing the law relating thereto" authorizing."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 926, entitled:

An Act creating a commission to make a study of juvenile delinquency directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study and amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 130, entitled:

An Act to amend section two hundred thirteen of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by prohibiting the sale of or offering for sale of bait-fish or fish-bait taken from the waters of this Commonwealth, when not artificially propagated and sold pursuant to an artificial propagation license granted by the board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 372, entitled:

An Act to amend clause eight of section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering townships of the second class to levy a tax under certain circumstances for the purpose of paying for the removal and disposal of ashes garbage and other refuse material

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 452, entitled:

An Act to amend sub-sections one and two of section nine of the act approved the twenty-fourth day of July one thousand nine hundred and forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" defining how certificates of certain acknowledgments taken without the State shall be authenticated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 497, entitled:

An Act to further amend section one of article two and section one of article ten of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" abolishing the Department of Public Welfare of such cities and transferring its powers and duties and records and certain city property to the county institution district of the county in which the city is located

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 498, entitled:

An Act to further amend section one hundred two and to amend sections two hundred two and two hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" abolishing city institution districts in cities of the second class and transferring their powers and duties and their property to the county institution district of the county in which the city is located

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 537, entitled:

An Act to amend section one thousand five hundred and two by adding thereto clause XLVII of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing certain townships of the first class to appropriate moneys for the support of hospitals

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 753, entitled:

An Act to reenact and amend the act approved the fifth day of August one thousand nine hundred thirty-two (P. L. 45) entitled "An act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced" by extending the provisions of said act to cities of the second class limiting its application and the use of the proceeds of any tax levied therein

The first section was read.

On the question,

Will the House agree to the section?

Mr. BRETHERICK offered the following amendments:

Amend Sec. 1 (Sec. 1), page 2, lines 25 and 26, by striking out the following: "in cities of the second class"

Amend Sec. 1 (Sec. 4), page 4, line 8, by striking out the following: "in cities of the second class"

Amend Sec. 1 (Sec. 4), page 4, line 10, by striking out all of said line.

On the question,

Will the House agree to the amendments?

Mr. BENTLEY. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Bretherick.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. BRETHERICK. I shall, Mr. Speaker.

Mr. BENTLEY. What is the effect of the amendments the gentleman has just offered to House Bill 753?

Mr. BRETHERICK. Mr. Speaker, it makes the bill applicable as against first class cities exactly as the bill now reads.

Mr. BENTLEY. Mr. Speaker, will the gentleman further explain to the House and to the Speaker what the effect will then be in the cities of the first and second class?

Mr. BRETHERICK. The first class cities will not be permitted to levy wage, occupation or sales tax, Mr. Speaker.

Mr. BENTLEY. I thank the gentleman from Delaware, Mr. Bretherick.

Mr. Speaker, I think the House has some knowledge of House Bill 753 and these amendments. House Bill 753 reenacts and amends the Act of 1932. The Act of 1932 gave to cities of the first and second class the power to levy taxes on all subjects and transactions of matters not taxed by the state.

As to cities of the second class that power expired by virtue of a provision of the Act in 1935. It has continued on the books as to Philadelphia, and it is under that Act that the Philadelphia sales, wage and occupation tax is levied.

I introduced House Bill 753 in order that the city of Pittsburgh might once again have the power to levy taxes on subjects not taxed by the state as it had had in 1932 to 1935. It was not intended that any sales, wage or occupation tax should be levied in the city of Pittsburgh. It was a part of the Democratic platform that such taxes should not be levied. However, some questions sprang up because the Act is couched in broad, general terms that such a tax might be levied, and before the bill even came on the floor of the House, in order to put at rest all of those fears I amended House Bill 753 in committee, specifically providing that in cities of the second class under this broad general granting of power there should be no sales, wage or occupation tax.

It was also provided that the proceeds of any tax levied under the bill should go to the reduction of real estate taxes, and funds, of course, arising from this tax and going into the general fund as provided would necessarily involve a reduction in real estate taxes.

The amendments that Mr. Bretherick now seeks would extend the provisions of House Bill 753 to cities of the first class. I think it is only fair to comment that here is a bill which last week flared across the city of Pittsburgh newspapers as a sales, wage and occupation tax, and is now not being used as a sales or wage tax, but is being sought to be used as a preventative. I think that bespeaks volumes as to what the original intent of the Act was and as to what its ultimate intention will be.

On the amendments, Mr. Speaker, I have this to say; I hesitate to see the bill become embroiled in the Philadelphia situation. It was put in by me only to apply to the city of Pittsburgh. The amendments offered by Mr. Bretherick will not affect the situation in Pittsburgh, and I have no objection to them for that reason.

As a general proposition I am against wage and sales taxes and as a member of the Democratic party pledged to that program, and in that sense I am for Mr. Bretherick's amendments and I propose to vote for them. I ask the membership of the House to consider carefully the remarks I have made in reference to these amendments and the bill.

Mr. SALUS. Mr. Speaker, I would like to ask the gentleman from Delaware Mr. Bretherick a question or two. I do not want to interrogate him; I never interrogate anyone, but I would like to receive some information from the gentleman from Delaware if I can.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. BRETHERICK. I shall, Mr. Speaker.

Mr. SALUS. Mr. Speaker, I never interrogate anybody. I would like to ask the gentleman from Delaware what the purport of his amendment is.

Mr. BRETHERICK. Mr. Speaker, I have already explained that once.

Mr. SALUS. Not to me, Mr. Speaker.

Mr. BRETHERICK. The purport of the amendments is to make the bill applicable to first and second class cities—first class cities as well as second class cities.

Mr. SALUS. That is all.

Now, Mr. Speaker, this is an effort to rehash a bill that has already been defeated in this House. I have no objection and will vote for any bill that Mr. Bretherick presents in this House affecting his own county, but when he introduces measures to try to rob the city of Philadelphia I think he is getting out of his own territory. His county is a rather large county, and I think if he legislates to put that county on the map I believe he will have all the work that he can do, and if he does that successfully, not only the people in his county, but the people in Pennsylvania will be very thankful to him. I ask him however, to stay out of the management of Philadelphia County. I have no objections to the bill so far as Pittsburgh is concerned. If Pittsburgh feels as though they want to tie their administrative bodies up, that is up to them; they have a perfect right to do it.

This wage tax or occupation tax that we have in Philadelphia has already been passed; it is a part of our budget system. The money is being allocated to places where the money should be placed in order to carry the expenses of Philadelphia, and I certainly object to this amendment, and I ask the Members not only of the Philadelphia delegation but all the rest of the Members to vote this amendment down.

Fundamentally this is against the home rule proposition. If the city of Pittsburgh wants this legislation and their Members want it, that is their say and we will be perfectly willing to go along with them. If Delaware County wants that kind of legislation, let Mr. Bretherick come in with a bill for Delaware County and we will be glad to go along with him. We will be glad to go along with any other county in the state that wants this kind of legislation, if they think it is beneficial to their county, but Philadelphia has its wage tax; it is important that it shall remain and that the money shall be paid in to our city treasury. When the time comes that we can conduct our city without the imposition of a wage tax we will be only too glad to do it.

The men in Delaware County who work there and come back to Philadelphia to live are perfectly willing to pay the tax. If those who live in Delaware County and work in Philadelphia do not enjoy that tax, they should find employment in Delaware County. We could very readily fill the kind of places that the Delaware County inhabitants have, places of importance in Philadelphia. Delaware County has replaced the kind of people we sent down there, but the group that comes from Delaware County are the clerks and the high salaried people, and we have people by the hundreds in Philadelphia that would love to have these jobs if they will only stay back home.

Mr. LEVY. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Bretherick.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. BRETHERICK. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to inquire of the gentleman from Delaware as to whether or not the effect of his amendments on the City of Philadelphia, it being a first class city, would be to prohibit it from assessing a sales, wage and occupational tax?

Mr. BRETHERICK. It would, Mr. Speaker.

Mr. LEVY. I thank the gentleman.

Mr. Speaker, as a member of the House representing a district in Philadelphia I want to make my particular position very clear. The amendments of the gentleman from Delaware are in strict conformity with what the platform in the Democratic party said prior to this last election, and it is appropriate for a member of the party to arise in support of the amendments of the gentleman from Delaware. I, therefore, would ask every member of the Democratic party in the House this afternoon to go along with the amendments of the gentleman from Delaware. I would ask the Members of the majority party to go along with these amendments in view of the fact that it is the proper kind of amendment inserted in the proper kind of bill.

Mr. BRETHERICK. Mr. Speaker, the gentleman from Philadelphia, Mr. Salus, has again created the impression in this House that Delaware County is the only county affected by this Philadelphia wage tax. I think practically every county in the state of Pennsylvania is affected by this wage tax, and I previously so stated. The gentleman now makes much virtue out of home rule. When the Philadelphia wage tax ordinance was adopted, apparently they didn't give it very much consideration, because they attempted to and successfully affected those people living in the State of Pennsylvania who did not reside in that city, so home rule apparently didn't mean much to them at that time. It does now.

I agree with the gentleman from Philadelphia that we should not go into other communities and endeavor to legislate for them, but if they seem fit to legislate for us, and there is no other way by which we can protect ourselves except by offering legislation which adversely affects them, then I am going to legislate for my county even at the expense of Philadelphia.

The gentleman from Philadelphia has stated, as he did on other occasions that we have no right to do that sort of thing. He has stated that this House of Representatives has already defeated this legislation which, of course, is not correct. What we did was to defeat a bill which I introduced which would have made it impossible for Philadelphia to levy a tax on non-residents, a bill incidentally from which many members from Philadelphia, both on the Republican and Democratic side voted for in 1939 when the bill passed this House by a vote of 111 to 41.

Now, Members, on this legislation I say to you that during the last two or three weeks there have been suggestions since my wage tax bill was defeated in this House that similar legislation would be introduced affecting second class cities and third class cities throughout the State of Pennsylvania. This is an obnoxious form of taxation, and it will adversely affect every individual in this state that does not happen to live in a second or a third class city. Unfortunately the time has elapsed for introducing this legislation, but I intend to ask this House, if this bill is defeated,—I intend to ask this House for unanimous consent,—I know I won't get it,—to permit my county to levy an occupational wage tax on non-residents coming into our county and working in war industries, and I want to assure you that we are going to catch about thirty-five thousand Philadelphians who are making more money than they ever did in their lives.

I think the amendments are good amendments and I think it is a good way to eliminate this obnoxious tax,—if I may use that term again in reference to this wage tax. Personally I think I am rendering a service to the Republican party in Philadelphia in so doing.

PARLIAMENTARY INQUIRY

Mr. TIEMANN. Mr. Speaker, I arise to a parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his parliamentary inquiry.

Mr. TIEMANN. Is it not a fact, Mr. Speaker, that once a bill has been voted down by this House a similar bill may not be considered during the same session?

The SPEAKER. The Chair would inform the gentleman that the only question before the House is on the amendments to section 1.

Mr. TIEMANN. Mr. Speaker, isn't this bill similar to the bill that was voted down?

The SPEAKER. For the information of the gentleman from Philadelphia the Chair will read rule 60.

> Not in Order to Consider Bill of Similar Character After Being Once Defeated.
>
> When a bill has been defeated by the House, it shall not be in order to introduce and consider a similar one, or to act on a Senate Bill of like import, during the same session.

The Chair would also inform the gentleman from Philadelphia that it would require a comparison of the bills to determine whether they are similar. The Chair is not in position to make that comparison at the desk. The question should be raised on third reading and final passage.

Mr. HANNON. Mr. Speaker, I think the intend of the sponsor of this bill is to deal with second class cities, and while we in the City of Pittsburgh may have our troubles I am inclined to think we could settle them without involving Philadelphia.

I disagree very much with this bill for many reasons. I have been interested in the welfare of the home owners of Pittsburgh and Allegheny County for many years, and if I thought for one moment that this bill would be helpful to the home owners of Pittsburgh and Allegheny County I would certainly support it.

However, we have an administration at present in the City of Pittsburgh that is suffering from a disease known to the people of Pittsburgh as "squandermania", and we of Pittsburgh are very much afraid that if this tax base is now broadened that this squandermania will so spread under the present city administration that no man can tell where it will end or how many millions of dollars of the tax-payer's money will be misspent.

We of Pittsburgh feel that the first thing to do is to remove the taxation termite before we broaden the tax base. For instance, suppose this tax base was so broadened, isn't it reasonable for us, who have been penalized so much in the past, to suppose that possibly this administration or succeeding administrations would tax baby-buggies, sewing machines, washing machines, refrigerators, clothing, or if the State relieves us of the merchantile tax, it is quite reasonable to assume that the City of Pittsburgh would levy a merchantile tax in its place, or they might levy—

QUESTION OF INFORMATION

Mr. O'BRIEN. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. O'BRIEN. I would like to know what is before the House for discussion at this time, Mr. Speaker.

The SPEAKER. The amendments offered by the gentleman from Delaware Mr. Bretherick to section 1 of the bill.

Mr. O'BRIEN. Is the gentleman speaking on the amendments?

Mr. HANNON. Yes, I am, Mr. Speaker.

The SPEAKER. The Chair would inform the gentleman that the gentleman from Allegheny is speaking on the amendments. The Chair has allowed wide latitude to other Members, and the Chair is of the opinion that the gentleman is speaking on the amendments.

Mr. O'BRIEN. Am I still recognized, Mr. Speaker?

The SPEAKER. Only on the point of order.

POINT OF ORDER

Mr. O'BRIEN. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. O'BRIEN. The Chair ruled last evening, and did not permit any wide latitude in relation to amendments offered and I think the Chair should be consistent in its ruling, regardless of who—

The SPEAKER. The Chair will leave it to the membership of the House as to whether the Chair has been consistent. The ruling last night was on a motion to recommit, which did not permit wide latitude. The gentleman is certainly mistaken as to the nature of the motion made at that time. The gentleman from Allegheny will proceed.

Mr. HANNON. Mr. Speaker, we in the city of Pittsburgh certainly do not want to become involved with the city of Philadelphia—

POINT OF ORDER

Mr. LEVY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. LEVY. Mr. Speaker, I rise to a point of order because the gentleman is not speaking on the amendments. The amendments offered by the gentleman from Delaware, have no concern with the city of Pittsburgh, and the gentleman's remarks have directly borne on the question of Pittsburgh. We are not concerned with Pittsburgh in the amendments offered by the gentleman from Delaware.

The SPEAKER. The Chair recognizes the gentleman from Allegheny Mr. Hannon.

Mr. LEVY. Mr. Speaker,—

The SPEAKER. For what purpose does the gentleman rise?

Mr. LEVY. Is the Speaker going to rule on the point of order raised by myself or is he not?

The SPEAKER. Will the gentleman state his point of order?

Mr. LEVY. Mr. Speaker, I said quite distinctly that the reason for the point of order was because the amendments which are under discussion at this time offered by the gentleman from Delaware deal solely with the inclusion of cities of the first class, which is specifically Philadelphia. Now, the gentleman from Allegheny has been speaking for fully five minutes on the city of Pittsburgh. If that does not come within the purview of a violation of the rule and raise a question of order reasonably, then I don't know what language both gentlemen are speaking.

The SPEAKER. The Chair is rather surprised that the gentleman from Philadelphia would raise that point of order, because the gentleman from Philadelphia has been given a wider latitude than any Member of this House. The Chair ruled that the gentleman from Allegheny is speaking on the amendments. The gentleman from Allegheny will proceed and confine himself to the amendments to section 1.

Mr. HANNON. Mr. Speaker, speaking further on these amendments, which certainly affect the bill that was introduced, which bill of course deals with the city of Pittsburgh, we are fearful and most fearful in the City of Pittsburgh to so broaden this tax base that these men who have misspent so many millions of dollars and so mismanaged the government of the city of Pittsburgh that they will through the broadening of this tax base possibly also tax mortgages and the Lord knows where it may end, so I request that every Member of this House vote against the amendments.

BILL AND AMENDMENTS LAID ON TABLE

Mr. WALTER E. ROSE. Mr. Speaker, I now move that House Bill 753, Printer's No. 310, together with the amendments be laid upon the table.

On the question,

Will the House agree to the motion?

QUESTION OF INFORMATION

Mr. BENTLEY. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Allegheny will state his question of information.

Mr. BENTLEY. Will the Chair state what is now before the House?

The SPEAKER. The motion to lay upon the table House Bill 753, Printer's No. 310 together with the amendments.

QUESTION OF INFORMATION

Mr. BENTLEY. I arise to a further question of information—

The SPEAKER. The gentleman from Allegheny will state his question of information.

Mr. BENTLEY. —and parliamentary inquiry. Does the motion to lay upon the table take precedence over the action on the amendment to House Bill 753, which has been debated and is, I presume, ready for a vote?

The SPEAKER. A motion to lay upon the table is a privileged motion and takes preference over action on amendments under Rule 15 of the House.

Mr. O'BRIEN. Does the Chair make a practice of accepting motions without first recognizing gentlemen on the floor of the House?

The SPEAKER. The Chair recognizes every gentleman on the floor of the House.

Mr. O'BRIEN. Mr. Speaker, for the information of the House, Mr. Rose, the gentleman from Cambria, made a motion without first being recognized by the Chair.

The SPEAKER. The gentleman is postively in error. The Chair did recognize the gentleman from Cambria, Mr. Rose. He heard his musical voice and recognized the gentleman from Cambria and the record so shows.

Mr. O'BRIEN. I beg to differ with the Chair, the gentleman from Cambria, Mr. Rose, immediately made the motion with two Members on the floor of the House.

The SPEAKER. Will the Reporter bring his notes to the desk?

(After consulting Reporter's notes.)

The Reporter's notes concur in what the Chair has said, that the gentleman from Cambria, Mr. Rose, was first recognized by the Chair.

Mr. O'BRIEN. I would like it to be a matter of record, Mr. Speaker, that in my humble opinion, and I want it to be recorded as such, that the Speaker did not recognize the gentleman from Cambria, Mr. Rose.

The SPEAKER. The Chair would also inform the gentleman from Philadelphia, Mr. O'Brien, that that does not alter the fact nor the record.

Mr. BENTLEY. Mr. Speaker, I ask that the roll be called on the motion to lay upon the table.

Mr. WALTER E. ROSE. Mr. Speaker, in order that the record be kept straight, and the remarks of the gentleman from Philadelphia, Mr. O'Brien, be not misunderstood by anybody reading the record, I would like to say that I asked for recognition and that I was recognized, and that the recognition was heard by all those in this corner.

The gentleman from Philadelphia, Mr. O'Brien, may have missed it because there were a number of people engaged in laughing at the closing remarks the gentleman from Allegheny, Mr. Hannon made, and that may have been responsible for his not having heard it, but I was recognized.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Bentley and Mr. Baker and were as follows:

YEAS—119

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Brice,
Brunner, C. H.,
Calvin,
Campbell,
Cook.
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Huntley,
Imbrie,
Irvin,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—75

Baker,
Barrett,
Bentley,
Dillon,
Duffy,
Elliott,
Kolankiewicz,
Lane,
Leonard,
Readinger,
Reese, R. E.,
Regan,
Bentzel,
Boies,
Boory,
Bradley,
Bretherick,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Finnerty,
Flynn,
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Hunter, W. M.,
James,
Kirley,
Levy,
Longo,
Lovett,
Maxwell,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Polaski,
Powers,
Reynolds,
Rose, S.,
Scanlon,
Schuster,
Skale,
Snider,
Swope,
Tate,
Thompson,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

So the question was determined in the affirmative and the motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. BENTLEY. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman from Allegheny will state his question of personal privilege.

Mr. BENTLEY. Mr. Speaker, on the motion just passed, the affect by reason of the parlimentary rules was that the gentleman from Allegheny, Mr. Hannon, made a number of statements, accusing me as sponsor of House Bill 753, and the city of Pittsburgh of being guilty of squandermania, as he puts it. As I say, by reason of parlimentary rules I was not permitted to answer the gentleman. I, therefore, as a matter of personal privilege request that I be given leave to answer the gentleman at this time.

The SPEAKER. The gentleman will proceed.

Mr. BENTLEY. Mr. Speaker, the gentleman from Allegheny, Mr. Hannon, made an extravagant statement that the city administration of Pittsburgh is guilty of squandermania, and this bill is an attempt to enlarge their powers. Now, that indeed is most curious coming from him, who has always held himself out as a great reducer of real estate taxes. The gentleman knows as well as I do that any money which might be realized from the power granted by House Bill 753 would necessarily result in a reduction of real estate taxes. However, he disregarded that, said nothing about it and passed it over for the purpose of making a wild statement. There is another term that can be applied to that kind of a statement. It is a little pungent. Also, it is known as "baloney."

The gentleman does not know, or if he knows, does not say that the city of Pittsburgh under the present administration during the past fiscal year has for the first time in its history not issued a bond. I question seriously whether there is another city or township or borough of any comparable size, or anywhere near a comparable size, that has that record. I can say to the gentleman also that the fiscal affairs of the city of Pittsburgh, its debt limit, both our councilmanic borrowing and our people's borrowing is in the best shape. It has a larger balance under both of those privileges of borrowing money than it has had for many, many years. Still the gentleman says we have been guilty of squandermania. I think I can say without fear of contradiction that based on our record in the past the gentleman's statements that we might tax everything in sight under this broadened tax basis, are without any foundation in fact. The city of Pittsburgh had, and it was under Democratic administration, that very power during the years '32 to '35, the same power that House Bill 753 would give them, that is, the power to tax subjects other than those taxed by the state. Some of the councilmen that are in the council of the city of Pittsburgh sat as councilmen during those years. What were the things they taxed under this power? They placed the tax on utility properties and that was the sole tax they placed, a tax on electric light poles within the city of Pittsburgh. With that record behind them the gentleman stands up and says he is afraid under this bill the city would enlarge its tax power and tax everything in sight.

I say, Mr. Speaker, that the gentleman does not appear consistent. He says in the one breath he wants to reduce real estate taxes. Every Member of this House knows, if he is honest and will say it, that the reason for taxing real estate and forcing it to carry the major share of taxes has a historical basis. It goes back to the feudal days of England when a man's wealth was measured by the land that he owned. In those days it was right and proper that it should be measured by that standard, that real estate should carry it. But today that is not a proper measure of wealth, but still by reason of the historical tradition real estate is forced to carry the load as it did before, and the means of avoiding that, proposed by every conscientious student on the subject, is that the basis for levying taxes be broadened, and yet this man will stand up on the floor of the House and say he wants to save the real estate owner, but refuses to go along with a bill that would do that.

I make these remarks at this time, Mr. Speaker, only because my answer to the gentleman was shut off by the motion to lay on the table.

Mr. Speaker, I think this record should show that the charges that we in Pittsburgh, or the city administration, which has carried on the government of the city in fine shape for the past eight years have not been guilty of squandering public money, and I offer the facts to prove it. Our bonded indebtedness, our fiscal management, our city taxes compare favorably, and most favorably indeed, with the fiscal situation as it was before the Democratic administration took over the city government in the city of Pittsburgh.

Mr. Speaker, the truth of it is that today the city of Pittsburgh and for the past six years has been borrowing money at a better rate of interest than any other city in the state. We can borrow more money than we ever could under a Republican administration, and yet the gentleman has the audacity to stand up and say that we have been guilty of squandermania. Let him offer facts and figures to prove his statements.

Mr. LEONARD. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Hannon.

The SPEAKER. Does the Chair understand the gentleman to say that he wishes to interrogate the gentleman from Allegheny?

Mr. LEONARD. Mr. Speaker, I wish to interrogate the gentleman from Allegheny, Mr. Hannon.

The SPEAKER. That requires unanimous consent as there is no business before the House except bills on second reading.

Mr. LEONARD. Mr. Speaker, I am asking the House for unanimous consent to interrogate the gentleman from Allegheny.

The SPEAKER. Will the House grant unanimous consent to the gentleman from Allegheny, Mr. Leonard to interrogate the gentleman from Allegheny, Mr. Hannon? Is there objection?

Mr. FLEMING. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections, and consent is not granted.

QUESTION OF PERSONAL PRIVILEGE

Mr. LEONARD. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Allegheny will state his question of personal privilege.

Mr. LEONARD. I desire to make a statement. Mr. Speaker—

The SPEAKER. If it is a question of personal privilege the Chair will allow it. The gentleman will proceed.

Mr. LEONARD. Mr. Speaker, my statement concerns the city of Pittsburgh and the city officials of Pittsburgh and Allegheny County. I am a taxpayer and a Member of this House, and I desire to make certain corrections here and find out whether or not a certain gentleman is proceeding according to law. Am I permitted to proceed, Mr. Speaker?

The SPEAKER. The gentleman from Allegheny asked for the floor under a question of personal privilege, which the Chair has permitted. There is no other business before the House. For the information of the gentleman from Allegheny, Mr. Leonard, the Chair will read Rule 67 which might be beneficial to all of us.

> Any member may rise and explain a matterpersonal to himself by leave of the Speaker, but he shall not discuss any pending question in such explanation. Question of personal privilege shall be limited to questions affecting the rights, reputation and conduct of Members of the House in their representative capacity.

Mr. LEONARD. Mr. Speaker, may I have the floor before this session adjourns today?

The SPEAKER. The Chair will be glad to recognize the gentleman from Allegheny at any time.

Mr. LEONARD. Thank you, Mr. Speaker.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 120, entitled:

An Act to amend subsection (c) of section three and to further amend subsection (e) of section nine of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to the mthrough application to the proper court providing for service of papers and process of the board prescribing certain penalties" by further defining the term "employer" and extending under certain circumstances the time limit within which petitions and charges may be filed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 254, entitled:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire by gift the Harmony Society Graveyard in the Borough of Ambridge Pennsylvania providing for the control management and maintenance thereof authorizing the Commission to make and enforce rules and regulations for the preservation maintenance and visitation thereof

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 641, entitled:

An Act providing for the validation and amendment of defective tax liens heretofore or hereafter entered of record repealing inconsistent legislation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 726, entitled:

An Act to amend section twelve of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" making further provision for the satisfaction of conditional sales contracts filed in the office of the prothonotary

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 830, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey two certain tracts of land in Woodbury Township Blair County Pennsylvania

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 832, entitled:

An Act to amend sections four and seven of to further amend sections one six and nine of and to add sections eleven twelve and thirteen to the act approved the twentieth day of May one thousand nine hundred and thirty-seven (P. L. 728) entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth providing for and regulating the procedure in prosecuting claims before such board defining the powers of the board and fixing the compensation of members and employes thereof providing that the awards of such board shall be final providing for the payment of awards and authorizing an appropriation" by providing for the payment of fees and expenses of the members of said board not properly chargeable as costs of proceedings before it and further defining the jurisdiction of said board

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 917, entitled:

An Act to promote interstate cooperation for the use conservation protection and equitable diversion of the water resources in the Delaware River Basin between and among the States of Pennsylvania New York and New Jersey for the purpose of meeting prospective needs for domestic and municipal water supply regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards requiring permits from and providing for hearings by the Water and Power Resources Board and for appeals from its decision vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations and further defining its powers and duties requiring notice to the States of New York and New Jersey of all applications for water diversion providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1061, entitled:

An Act providing that the terms of constables hereafter elected in cities of the second second class A and third classes boroughs and towwnships shall be for six years

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 302, entitled:

An Act to further amend section seven hundred seven subsection (e) of section nine hundred three and to repeal section seven hundred eight and subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to the weight length and width of motor buses and motor omnibuses and loads and changing the registration fees of motor buses motor omnibuses and other vehicles used for the transportation of passengers

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. FREED. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 573, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by adding clause XIX to Section 1006 so as to provide a special fund for construction and reconstruction after the cessation of hostilities in the war in which the United States is now engaged

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 575, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by adding an additional clause to section 1202 LIII relating to exemptions from advertising

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 67, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," establishing the method of appointing, promoting, reducing in rank, suspension, furloughing, discharging, and reinstating members of the police force of counties of the second class; creating and defining the powers and duties of a civil service commission; imposing certain duties and expenses on such counties; and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. TATE.

The House resumed the consideration on second reading of Senate Bill No. 112, entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States; providing for proof of such membership; making false statements in connection therewith perjury; and suspending inconsistent laws during the effective period of the act.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. TATE and WATKINS offered the following amendments:

Amend sec. 1, page 1, line 2 and 3 by striking out the words "for a period of six months" and inserting in lieu thereof the following: "until after the first general municipal or primary election, that shall occur six months or more".

Amend sec. 1, page 1, line 3, by inserting after the word "hostilities" the words "in such war".

Amend sec. 1, page 1, lines 7 and 8, by striking out the whole of line 7 and the words "either case" in line 8 and inserting in lieu thereof the word "when".

Amend sec. 1, page 2, line 1, by inserting after the word "States" the following: "or of any uniformed organization of women officially conected therewith".

Amend sec. 1, page 2, lines 6 and 7 by striking out the words "or cancelling his or her registration present" and inserting in lieu thereof the word "presents".

Amend sec. 1, page 2, line 9 by inserting after the word "States" the following: "or uniformed organization of women connected therewith".

Amend sec. 1, page 2, lines 9 and 10 by striking out the words "may consist of the sworn statement or written affidavit of a person" and inserting in lieu thereof the following: "shall consist of the written statement of the elector or a qualified elector".

Amend sec. 1, page 2, line 13, by inserting after the word "forces" the following: "or womens organization as the case may be. Such statements shall be required in all cases where registration affidavits have been retained because of the electors military service".

Amend sec. 1, page 2, line 14, by striking out the words "or affidavit".

Amend sec. 1, page 2, line 16, by striking out the words "be guilty or perjury" and inserting in lieu thereof the following: "upon summary conviction thereof be sentenced to pay a fine of not more than twenty-five dollars ($25.00) or on failure to pay the same and costs to undergo imprisonment for not more than ten days".

They were agreed to.

The Section was agreed to as amended.

Messrs. TATE and WATKINS offered amendments, inserting a new sectio

Amend the bill, page 2, by inserting between lines 16 and 17 the following: "Section 2. During the period of time set forth in Section 1, it shall be unlawful for any registration commission in any city or county to cancel the registration of any elector previously registered under the permanent personal registration laws of any city, county, borough, town or township for failure to vote."

It was agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Messrs. TATE and WATKINS offered the following amendment:

Amend sec. 2, page 2, line 17 by striking out the figure "2" and inserting in lieu thereof the figure "3".

It was agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Messrs. TATE and WATKINS offered the following amendment:

Amend sec. 3, page 2, line 20, by striking out the figure "3" and inserting in lieu thereof the figure "4"

It was agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the House agree to the title?

Messrs. TATE and WATKINS offered the following amendment:

Amend title, page 1, fourth line of title, by inserting after the word "States" the following: "or of any uniformed organization of women officially connected there with"

Amend title, page 1, 5th line of title by inserting after the word "membership" the words "prescribing penalties for"

Amend title, page 1, 6th line of title, by striking out the word "perjury' and inserting in lieu thereof the following: "prohibiting cancellation of registration for failure to vote during this period"

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE

Mr. WALTER E. ROSE. Mr. Speaker, I move that the vote by which House Bill No. 592 Printer's No. 276 entitled:

An Act to further amend section six hundred twenty-one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code" by permitting certain minors under eighteen years of age to operate a motor vehicle as a paid operator

was defeated on final passage in the House on Wednesday, March 31, 1943 be reconsidered.

Mr. ERB. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Cambria, Mr. Rose, vote on the final passage of this bill?

Mr. WALTER E. ROSE. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Blair, Mr. Erb vote on the final passage of this bill?

Mr. ERB. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. LEONARD. I arise to oppose the motion to reconsider the vote by which this bill was defeated. This bill has been before the House twice previous to this time, and the last time was defeated on its merits. I was under the impression and was given to understand that the bill was done for.

I again repeat what I said previously, that we have had a lot of talk here in the House about child labor and about child care, and here Members of this House are deliberating about putting sixteen year old boys on the spot, failing to respect the responsibility that goes with the operation of a motor driven vehicle and trying to cram down this House a bill that would jeopardize not only the young sixteen year old boy that is driving the truck but the older people who are on foot walking along the sidefalk or crossing the streets.

I presented to this House evidence of two tragedies that took place right here in Harrisburg, but apparently some people have no respect for the record. When they want something, they want it, right or wrong. I am asking those broad minded Members of this House who saw fit to vote "no" before to vote "no" again on the motion to reconsider.

Mr. CORRIGAN. Mr. Speaker, I rise to oppose this motion to reconsider this bill. That is one of the most flagrant pieces of maneuvering that I have ever seen in the legislative halls of Pennsylvania. I say this, Mr. Speaker, that acts of this kind will end the democratic form of government in the United States, and put us in the same category that Hitler is placed in. After a bill is defeated let it be defeated, and I urge the Members of this House to vote down this motion.

Mr. WALTER E. ROSE. Mr. Speaker, I appreciate the fact that the gentleman was smiling during his remarks. I want to point out or call to the attention of the House the fact that this motion to reconsider is made so that amendments may be offered to the bill, which we hope and which we think will remove the objection. I urge the support of the House for the motion.

Mr. FREED. Mr. Speaker, I arise to clarify the record from the last time this bill was on the floor. The statement was made at that time that they could not see fit to leave a sixteen year old boy drive an automobile. At the present time they are driving at sixteen years of age, and within the law. This merely deals with those on the small trucks, and the question before was that they had to be eighteen to get a license in this Commonwealth. The Motor Code tells us that an unpaid driver can drive an automobile, if and when he or she has passed the test that would get that driver's license. I merely want that placed on record.

Mr. LEONARD. Mr. Speaker, so far as my knowledge goes "there aint no such thing" as an unpaid driver. Now you are going to pay him. As it now stands this boy that is driving a truck for his father has a responsibility that goes with the operation of that truck. This bill removes that responsibility. You all know as well as I know if you will admit it, that with this young boy driving this truck, he realizes that if anything goes wrong his parents will have to answer, but by enacting this bill you remove that. You tell this boy to go ahead and you all know that he will go ahead and tell you that he is within the law and he will do as he pleases. The people who are responsible for this act, and which I hope I am wrong, will regret it, because we know of accidents that have happened in the past. That is easy to understand. All you have to do is to check the records of the police department. As a further argument, there is nothing said in this bill about under sixteen, that nobody under sixteen shall be allowed to drive. Maybe they want to put eight or nine-year-old boys on these little trucks,—and I am asking the House to consider the matter from that standpoint and protect this boy that you are going to put on the spot and protect the older people, protect the people along the streets, who are walking on the pavement anticipating that they are in safety, and along comes a truck with a young boy driving it and they are run over. I know what I am talking about, I am not fooling about this thing. This is a serious matter. Never mind about the politics, whether it favors this party or that party. Think about the safety of the people when you vote on this question.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Levy and Mr. Dillon and were as follows:

Messrs. Leonard, Moran and Goodwin requested a verification of the roll.

The roll was verified and was as follows:

YEAS—114

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Costa,
Coulson,
Dague,
Dennison,
Dix,
Elder,
Ely,
Erb,
Ewing,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Imbrie,
Irvin,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—73

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Denman,
Dillon,
Duffy,
Elliott,
Flynn,
Gates,
Goodwin,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Reese, R. E.,
Reynolds,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. WALTER E. ROSE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HEWITT. Mr. Speaker, in consulting with Mr. Erb in reference to this bill, my idea was to offer amendments making the age limit boys of seventeen years of age rather than sixteen, feeling that a boy seventeen years of age would have had experience for a year in driving a pleasure car. So there ought to be another amendment to this bill, which makes it mandatory for the applicant for an R. and S. license to drive a small truck to have proof of age, a birth certificate or some other form satisfactory to the department. With this idea in mind I offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 621), page 3, line 19, by striking out the following: "sixteen (16)" and inserting in lieu thereof: "seventeen (17)".

Amend Sec. 1 (Sec. 621), page 3, line 22, by striking out the following: "sixteen (16)" and inserting in lieu thereof: "seventeen (17)".

Amend Sec. (Sec. 621), page 3, line 27, by inserting after the word "operation" the following: "Before any person under the age of eighteen (18) years shall be issued an operator's license under the provisions of this sectiaon, he shall furnish proof of his age satisfactory to the secretary."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection?

Mr. LEONARD. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections, and consent is not granted.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. WALTER E. ROSE. Mr. Speaker, inasmuch as it is only necessary to reconsider the vote by which it was agreed to on second reading in order to offer amendments without unanimous consent, I would ask the gentleman, in order to save the time of the House and the cost of printing and everything else, if he will not permit the amendments to be considered at this time rather than to go though three or four more motions in order to do so without unanimous consent?

Mr. LEONARD. Mr. Speaker, will the gentleman from Cambria, Mr. Rose, repeat his statement, please?

Mr. WALTER E. ROSE. Mr. Speaker, I asked the gentleman if he would not withdraw his objection and allow the amendments to be considered at this point, since it is only necessary for us to offer three more motions to reconsider the vote by which it passed second reading, the sections and the title, and then we can go ahead without his consent, which will add to the cost of printing and time of the House in order to do that. I merely asked him if he won't permit that to be done now instead of making us go though the parliamentary procedure to get back to second reading?

Mr. LEONARD. Mr. Speaker, in answer to the gentleman from Cambria, Mr. Rose, I would like to ask a question. Is it the intent of the gentleman to put this bill back on the calendar for second reading?

Mr. WALTER E. ROSE. Mr. Speaker, it would be my intention to get unanimous consent at this point instead of going back to second reading and offer the amendments at that point.

Mr. LEONARD. Mr. Speaker, I do not have any objection to the bill going back to second reading.

Mr. WALTER E. ROSE. Mr. Speaker, I believe that I did not quite get my point across to the gentleman. I merely meant that if it is necessary for us to go through the procedure of going back to second reading it will take some time and some extra cost of printing, and at that point we can consider the amendments without the gentleman's consent. Now, in view of that, won't the gentleman withdraw his objection and allow us to consider the amendments on third reading?

Mr. LEONARD. Mr. Speaker, I maintain my objection.

The SPEAKER. The Chair hears objection.

MOTION TO RECONSIDER VOTE

Mr. WALTER E. ROSE. Mr. Speaker, I move that the vote by which this bill was agreed to on second reading be reconsidered.

The SPEAKER. The Chair rules the motion out of order. More than five days having elapsed since the vote was taken.

MOTION TO SUSPEND RULE

Mr. WALTER E. ROSE. Mr. Speaker, I move to suspend the rule for the specific purpose of considering the amendment at this time.

The SPEAKER. Will the gentleman yield for just a moment?

MOTION WITHDRAWN

Mr. WALTER E. ROSE. Mr. Speaker, in order to settle this without any misunderstanding I withdraw my motion to suspend the rule.

BILL POSTPONED

Mr. WALTER E. ROSE. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

On the question,

Will the House agree to the motion?

The SPEAKER declared the ayes appeared to have it,

Whereupon, a division was called for, one hundred fourteen Members having in the affirmative and seventy-three in the negative, the question was determined in the affirmative and the motion was agreed to.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. COHEN. Will the Speaker tell us under the rule what part of the bill you have to shoot at before you can kill it.

The SPEAKER. The Chair has often wondered.

RECONSIDERATION OF VOTE

Mr. SORG. Mr. Speaker, I move that the vote by which House Bill No. 510, Printer's No. 153 entitled:

An Act to amend sections seven hundred thirty-one and seven hundred thirty-three of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine, (Pamphlet Laws 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth, authorizing the courts to issue writs of execution and attachment against the property, money and wages of defendants in separation and non-support cases, and the attachment of wages in desertion and non-support cases,"

was defeated on final passage in the House on Tuesday, March 30, 1943 be reconsidered.

Mr. WALTER E. ROSE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Elk, Mr. Sorg, vote on the final passage of this bill?

Mr. SORG. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Cambria, Mr. ROSE, vote on the final passage of this bill?

Mr. WALTER E. ROSE. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

The SPEAKER declared the ayes appeared to have it.

Whereupon, a division was called for, one hundred fifteen Members having voted in the affirmative and one in the negative, the question was determined in the affirmative and the motion was agreed to.

Mr. WALTER E. ROSE. Mr. Speaker, I would like to compliment the gentleman who voted in the negative on the strength of his lungs.

On the question recurring,

Shall the bill pass finally?

Mr. WALTER E. ROSE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. WALTER E. ROSE. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

The SPEAKER declared the ayes appeared to have it.

Whereupon, a division was called for, one hundred fifteen Members having voted in the affirmative and one in the negative the question was determined in the affirmative and the motion was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 174, as follows:

An Act to further amend section one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the creation of the office of district superintendent in districts where such office does not exist

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 491) is hereby further amended to read as follows

Section 1133 The board of school directors in every school district of the first and second class shall in every district of the third class may be a majority vote of all the members thereof elect a properly qualified person as district superintendent together with such properly qualified assistant district superintendents as it deems wise The directors of any school district required or electing to have a district superintendent of schools shall not participate in the election of a county superintendent and the public schools of any district which has a district superintendent shall not be subject to the superintendence or supervision of a county or an assistant county superintendent but shall all be under the supervision of the district superintendent

After the first day of July one thousand nine hundred and forty the board of school directors of any school district not employing a district superintendent at the effective date of this act shall before creating the office of district superintendent obtain the approval of the county board of school directors In the event that the county board of school directors shall refuse such approval or shall neglect to act upon the application of the board of school directors for a period of thirty days from the date of the submission of such application to it the board of school directors may employ one or the other but not both of the following remedies

(1) It may appeal to the Superintendent of Public Instruction who may sustain or reverse the action of the county board and in the event of reversal shall grant approval to the creation of the office of district superintendent in such district or

(2) It may submit the question of the creation of the office of district superintendent in such district to a vote of the qualified electors of the district If a majority of such electors voting on the question shall favor the creation of such office the same shall thereby be created The board of school directors shall certify their desire to create said office to the county commissioners who shall cause the question to be submitted in the manner provided by the election laws of this Commonwealth at the next general municipal or primary election occurring more than thirty days after such certification

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Sarraf, Bentley and Cohen asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—97

Auker,
Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Boyd,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cooper,
Cordier,
Corrigan,
Croop,
Cullen,
Dalrymple,
Dennison,
Dillon,
Duffy,
Ewing,
Finnerty,
Fleming,
Flynn,
Goodwin,
Green,
Haberlen,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Irvin,
Kirley,
Kline,
Kolankiewicz,
Lane,
Laughner,
Lee,
Leonard,
Levy,
Leydic,
Longo,
Lovett,
Maxwell,
McMillen,
McSurdy,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Reese, R. E.,
Regan,
Reynolds,
Rose, S.,
Rowley,
Salus,
Scanlon,
Schuster,
Snider,
Sollenberger,
Sorg,
Stank,
Tahl,
Tate,
Thompson,
Tiemann,
Trent,
Verona,
Wachhaus,
Wagner, P. L.,
Walton,
Watkins,
Welsh,
Winner,
Wright,
Yester,

NAYS—94

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook.
Costa,
Coulson,
Dague,
Denman,
Dix,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates.
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
James,
Jones,
Kennedy,
Kitchen,
Kowalski,
Krepps,
Krise,
Leisey,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Royer,
Sarge,
Sarraf,
Serrill,
Smith,
Stockham,
Stonier,
Swope,
Taylor,
Thrasher,
Trout,
Turbett,
Van Allsburg,
Wallin,
Weiss,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 849, as follows:

An Act relating to child care centers conferring certain powers and duties upon the State Council of Defense local and district councils of defense and political subdivisions providing for the adoption of rules and regulations for the maintenance operation and conduct thereof authorizing appropriations by political subdivisions and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whereas the supreme emergency of the world wide war has resulted in conditions calling for the employment of all available man-power and woman-power in the industries engaged in war work

Section 1 This act shall be known and may be cited as the "Emergency Child Care Centers Act"

Section 2 The following words and phrases shall have the meanings ascribed to them in this section

"State Council of Defense" shall mean such council established under the provisions of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 6)

"Local and district councils of defense" shall mean such councils established under the provisions of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 6)

"Political subdivision" shall mean any county city borough incorporated town and township

"Emergency child care centers" shall mean only such emergency child care centers established by the State Council of Defense and local and district councils of defense under the provisions of this act

Section 3. The State Council of Defense shall during the continuance of the existing state of war between the United States and any foreign country have the power to establish emergency child care centers for the purpose of providing care and supervision for three or more children under fourteen (14) years of age in lieu of the care and supervision ordinarily provided by parents now or hereafter engaged in war industries for periods of more than four but less than twenty-four hours in any one day Provided however That this act shall apply only to emergency child care centers established under the provisions of this act which shall be established without any distinction whatever on account of or by reason of the race color or creed of any child

Section 4 In furtherance of this act the State Council of Defense shall have the power to adopt promulgate and enforce rules regulations and orders for the maintenance operation and conduct of emergency child care centers and such rules regulations and orders adopted by the State Council of Defense shall have the same force and effect as if they had formed a part of this act

In establishing standard requirements for the conduct of child care centers the State Council of Defense may avail itself of the services of the Department of Welfare and the Department of Health

Section 5 Any local or district council of defense may establish a child care center in the political subdivision in which such local or district council of defense is established or in which it exercises jurisdiction and may make such charge for the care and supervision of the children entrusted to it as it deems advisable but no charge shall be made in excess of the charges approved by the State Council of Defense

Section 6 In so far as applicable local and district councils of defense shall have the same powers and duties with respect to child care centers within their respective jurisdictions as are vested in the State Council of Defense but subject to any limitations herein contained

Section 7 Local and district councils of defense shall have the power to adopt promulgate and enforce rules regulations and orders not inconsistent with the rules regulations and orders adopted by the State Council of Defense with respect to child care centers Provided however That no rule regulation or order of any local or district council of defense shall become effective unless and until it shall have received the prior approval of the State Council of Defense Each local and district council of defense shall have available for inspection at its offices all rules regulations and orders adopted by the State Council of Defense and by such local or district council of defense

Section 8 Political subdivisions shall have the power to make appropriations in the manner provided by the act approved the seventeenth day of April one thousand nine hundred forty-two (P. L. 42) for the payment of expenses and local and district councils of defense in furtherance of this act

Section 9 Any person violating any of the provisions of this act or any of the rules regulations and orders adopted under this act by the State Council of Defense or any local or district council of defense shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding two hundred dollars ($200) or imprisonment not exceeding ninety (90) days or both

Section 10. This act shall become effective immediately upon final enactment and shall remain in effect so long as a state of war exists between the United States and any foreign country or until the State Council of Defense shall be dissolved by proclamation whichever first occurs

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, if ever a bill was ever debated on its merits by the time it reached third reading, I think that this bill is it. I do not intend to talk too much about the merits of this bill. We on this side of the House are convinced that it is not a good bill and we are further convinced that it in nowise represents an honest, sincere and fully understanding approach, and I use the term honest and sincere in connection with the term fullest approach and understanding of the problems of child care with relation to the war effort.

Mr. Speaker, we have been here now since the first week of January and as was so ably stated last night, we were requested by the Governor, and by that token dedicated to a program of cooperation to legislate Pennsylvania into a prime position to help to win the war. It is a matter of great regret to me personally, Mr. Speaker, and I know too many men in the House, that up to this point if all the efforts of all the Legislators, as expressed in the bills thus far having appeared on the calendar and acted upon, that if put up against the enemy to help win the war it would amount to almost a void, a small puff of a cartridge or a fire cracker against a steel wall of the enemy's position.

It is about time that we stop kidding ourselves; it is about time we got out of the idea that we have got to pass bills just because bills are introduced. It is about time that we ought to get behind Governor Martin and tell the people of Pennsylvania that we have got to be in a position of the greatest aid to the Commander-in-Chief, to the armed forces, to industry in Pennsylvania and to the people of Pennsylvania to win the war. I think to these things we are all dedicated, and I believe that in our hearts and in our minds there is no question about the fact that each of us is seeking the solution to that problem. I believe each one of us wants to accomplish that thing. I don't know why it is that we just don't get down to doing it. We, on this side have been waiting for the Governor to offer his war program. We on this side have not seen the Governor's war program. Don't ask me, Mr. Speaker, why we don't present a war program, because if you do I will have to become a politician and I will have to say to you that we have attempted on many occasions to have the Governor keep the promise that he made, "Come in and talk to me, talk to my department heads and cabinet members, accept an invitation to come in and sit down and talk about the problems that confront us." To this date, Mr. Speaker, despite the fact that we have publicly, to say the least, hinted that we were receptive to such an invitation, to this date the invitation has not been forthcoming. It may very well be that the Governor is preoccupied with the problems that confront Pennsylvania in war time. If such preoccupation is what prevents him from calling us in, then I hope the day is coming very soon when he will call us in and say, "Gentlemen, this is what I have been thinking of for three and a half months, this is what I have been pondering over, this is what I think a war program ought to be." But since that has not happened we find ourselves in the rather ridiculous position of having gone through several months of legislative turmoil, several months of legislative bickering, about almost nothing. So that without the guidance of the Governor, and the minority party said that they would like to have some guidance from the Governor, we find ourselves facing really the first important war measure on the calendar, and we find ourselves a house divided.

I might also say that the minority and the Governor see more closely eye to eye on this problem than the majority and their Governor, because as was publicly stated here last night, the Governor at least thought this bill should have been presented to the people of Pennsylvania for a public hearing to let us know what they think about this bill and this problem.

Mr. Speaker, I've always thought and I've always said that just because I was a member of the Joint State Government Commission, and that Commission might present its views to this House that I would not have the effrontery to say that the Joint State Government Commission knew everything and we should therefore be in a position to adopt its recommendations. Mr. Speaker, I now say publicly that I do not think that just because I am a Member of this House serving my fourth term, and having risen to the point which I now hold with the minority, that I know everything or almost anything. I wanted to sit down and listen to experts on the matter of child psychology and child care, and I think that every one of us ought to be big enough to be in the same position and find time enough to do that very thing.

I do not want to be in the position of chiding or scolding. There are too many people here whose wisdom I respect far beyond the point they might suspect I do. There are too many of my elders whose wisdom I should not dare to assail, but, Mr. Speaker, I think the difficulty is that we are not thinking war enough, that we are not thinking of this bill and its vital connection with the war effort sufficiently for us really to comprehend what it wants to do and what it should do.

I don't know that what I have to say is going to change a single vote. I regret possibly that it won't. I trust that perhaps maybe when the bill goes over to the Senate, what I have to say today may have some effect. I hope that possibly the gentlemen on the other side in the Senate might give a public hearing, and I would be very happy if they would, and I somewhat believe that almost every Member of this House would be very happy if they would. In the meantime the minority have no other choice. They find themselves in the position of thoroughly disagreeing with the draftmanship and with the purpose behind House Bill 849, but they cannot afford to be in the position of opposing even a poor approach to the subject of war cooperation. In fact this is the only chance we have really had to register an affirmative vote for what I hope is a part of a good program for cooperation with the Governor and with the Federal Government in the matter of winning the war.

Mr. LEVY. Mr. Speaker, I desire to interrogate the Majority Leader, the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to inquire from the gentleman from Lehigh as to whether in his opinion child care and its problems is a war time necessity and a war time measure.

Mr. LICHTENWALTER. I do, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to further inquire of the gentleman whether he does not believe that a public hearing, as expressed by the Governor of the Commonwealth, is of prime importance with such a very important war measure.

Mr. LICHTENWALTER. Mr. Speaker, I wouldn't say that it was of prime importance.

Mr. LEVY. Mr. Speaker, I desire further to inquire of the gentleman whether or not he is of the belief that a public hearing in the Senate would probably be the correct procedure to take with this important measure.

Mr. LICHTENWALTER. Mr. Speaker, I think that if the requests are numerous enough throughout the State of Pennsylvania, if they are requests from proper organizations, people who are really and truly interested in child welfare, that they will be granted the opportunity to be heard.

Mr. LEVY. I desire to inquire of the gentleman as to whether or not he has received communications from organizations requesting a public hearing on the entire child care program.

Mr. LICHTENWALTER. Mr. Speaker, I have to this date received one telegram requesting a public hearing. I might say that there are many, many pieces of legislation concerning which I have received communications, but to date I have had only one on this particular bill.

Mr. LEVY. Mr. Speaker, to the knowledge of the gentleman from Lehigh, have the various chairmen of the Committees which hold child care bills, to his knowledge been asked for public hearings?

Mr. LICHTENWALTER. I cannot answer that, Mr. Speaker.

Mr. LEVY. Mr. Speaker, was the gentleman from Lehigh in the hall of the House last evening when the letter from General Martin was read in public, saying that he thought the Chairmen of the various committees of the House would be only too glad to hold public hearings on such important, vital war problems?

Mr. LICHTENWALTER. I was, Mr. Speaker.

Mr. LEVY. Then, Mr. Speaker, might I ask the gentleman from Lehigh as to wether or not he is in whole accord with the desires expressed by the Governor of the Commonwealth?

Mr. LICHTENWALTER. Mr. Speaker, I think in answer to a previous question I said that I felt that it is not of prime importance, the matter of public hearing on this bill, but that if the letters and telegrams become numerous and they are from the type of people and organizations that are truly interested in child welfare in Pennsylvania, if they come when this bill is in the hands of the Senate, I certainly feel that those people will be given the opportunity to be heard.

Mr. LEVY. Mr. Speaker, might I again repeat the question, is the Majority Leader of the House in accord with the Governor's desires regarding child care?

Mr. LICHTENWALTER. Mr. Speaker, I think I am in accord with the Governor on the matter of child care from the standpoint of House Bill No. 849 which I believe the gentleman from Philadelphia last night said was an administration measure, and the answer to the problem of child care in Pennsylvania at this time. If the gentleman means am I in accord with House Bill 849 which expresses the Governor's and the administration's way of dealing with this problem, I am in accord.

Mr. LEVY. Mr. Speaker, might I inquire of the gentleman from Lehigh as to whether he means in accord with the Governor's desire for the public hearing rather than in accord with the Governor's desire on House Bill 849? I am inquiring now on the subject of a public hearing and not as to the merits or demerits of House Bill 849.

Mr. LICHTENWALTER. Mr. Speaker, I wish to state to the gentleman from Philadelphia, as I understood his question before, he did not mention the fact about a public hearing but he asked as to my accord with the Governor on child welfare and the problem in Pennsylvania, and I think I have answered, rather indirectly, I suppose, the gentleman's question, but certainly if there are proper requests made for a public hearing when this bill is in the Senate I will be in accord. However, I certainly do not feel that with only one telegram upon my desk, I believe from a man who heads an agency in Pennsylvania,—I do not want to attack that kind of an agency—but certainly I would not feel that a public hearing should be granted because I received one telegram. I do not see why that should particularly mean that we have to hold a public hearing on this particular problem when this bill is under consideration in the House.

Mr. LEVY. Mr. Speaker, I thank the gentleman from Lehigh. I only want to say, Mr. Speaker that House Bill 849 clearly exemplifies the policy of the Republican party in this war. As I said last night House Bill 849 is another bill sponsored by the Administration which has on its door step the following term, and I repeat, House Bill 849 is a "save-the-penny-but-risk-losing-the-war" approach, and I call on the Republican membership of this House to renounce that charge.

MOTION TO RECOMMIT

Mr. LEVY. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of a public hearing.

On the question,

Will the House agree to the motion?

Mr. CHUDOFF. Mr. Speaker, I desire to interrogate the Chairman of the Committee on Education, the gentleman from Blair, Mr. Sollenberger.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I should like to know from the Chairman of the Educational Committee whether he received any communications requesting a public hearing on House Bill 849.

Mr. SOLLENBERGER. I have, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I should like to know from the Chairman of the Educational Committee how many communications he has received.

Mr. SOLLENBERGER. Mr. Speaker, I did not keep count of them.

Mr. CHUDOFF. Mr. Speaker, will the gentleman from Blair say that he has received many communications?

Mr. SOLLENBERGER. Mr. Speaker, that depends upon how many "many" is.

Mr. CHUDOFF. Will the gentleman say more than one or two?

Mr. SOLLENBERGER. There were, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I thank the gentleman from Blair.

I would like to interrogate the Chairman of the Committee on State Government, the gentleman from Lebanon, Mr. Sarge.

The SPEAKER. Will the gentleman from Lebanon permit himself to be interrogated?

Mr. SARGE. I shall, Mr. Speaker.

Mr. CHUDOFF. Mr. Speaker, I would like to know from the gentleman from Lebanon, Mr. Sarge, as Chairman of the Committee on State Government whether or not he received any communications requesting a public hearing on House Bill 849?

Mr. SARGE. I did, Mr. Speaker.

Mr. CHUDOFF. Were there more than one or two, Mr. Speaker?

Mr. SARGE. Mr. Speaker, I can not say exactly that there were more than two because I did not count them. There was quite a volume of telegrams that I received. In fact there were so many of them of a similar nature that I did not read them all.

Mr. CHUDOFF. Mr. Speaker, do I understand the gentleman from Lebanon to say that he received so many telegrams that he did not read them all?

Mr. SARGE. Well, no, not that many. They could have been read except for the fact that I was busy on many other legislative matters. These telegrams were all of the same nature and you naturally do not give them the same attention that you would if they were composed somewhat differently. As a matter of fact, if you will allow me to enlarge on that statement I might say that most of the telegrams I received were not so much against House Bill 849 as they seemed to be in favor of Mr. Levy's bills 42 and 43, which possibly made the telegrams a little less important than they would otherwise be.

Mr. CHUDOFF. I desire to thank the gentleman from Lebanon, Mr. Sarge.

Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Wood, Chairman of the Appropriations Committee.

The SPEAKER. The gentleman from Montgomery, Mr. Wood, is not the Chairman of the Appropriations Committee, but the gentleman from Lancaster, Mr. Wood, is.

Mr. CHUDOFF. Pardon me, Mr. Speaker, I desire to interrogate the gentleman from Lancaster, Mr. Norman Wood, the Chairman of the Committee on Appropriations.

The SPEAKER. The gentleman is not in the Hall of the House the Chair is informed.

Mr. CHUDOFF. Mr. Speaker, is the Secretary of the Committee on Appropriations in the House?

The SPEAKER. The Chair does not know who the Secretary of the Committee is. Is the Secretary of the Committee on Appropriations in the Hall of the House?

Mr. LLOYD H. WOOD. Mr. Speaker, I plead guilty to the soft impeachment of being the Secretary of the Appropriations Committee.

Mr. CHUDOFF. Mr. Speaker, I would like to know from the Secretary of the Appropriations Committee whether the Chairman of that Committee received any communications requesting a public hearing upon House Bill 849?

Mr. LLOYD H. WOOD. Mr. Speaker, he has not disclosed it to me if he has.

Mr. CHUDOFF. Mr. Speaker, I thank the gentleman from Montgomery, Mr. Wood.

Mr. Speaker, House Bill 849 has been before the Members of this House on the question of recommitting, I believe, on four separate and distince occasions. On each of these occasions the Members of the House were subjected to a long debate. I might say to you that this is perhaps the most important piece of legislation that has come before the House since we went into session early in January. I say to you, Mr. Speaker, that the citizens of Pennsylvania have felt that child care was so important to Pennsylvania that they have banded themselves into an organization called the Citizens Committee for the Care of Children in Wartime. They have elected as Chairman of this committee an eminent psychologist from the University of Pennsylvania, Dr. Edward H. J. Pearson. This organization, together with many other organizations has sent numerous communications to the various Chairmen whom this bill might affect, asking for a public hearing on this bill, and these communications have practically been ignored.

I listened with a great deal of interest to the Majority Leader when he tried to wash his hands of a public hearing on this bill by joining the association of buck-passers. It seems that the Majority Leader of this House and the Members of this House are anxious to pass the buck on to the Senate. I do not think that this is fair to the people of Pennsylvania. This bill should have a public hearing in the House and the people of Pennsylvania should have the best bill on child care that is possible.

I want to close my remarks, Mr. Speaker, in speaking in favor of the recommission of this bill to the Committee on Education, by reading a telegram that was sent yesterday by Dr. Edward H. J. Pearson, Chairman of the Citizens Committee on the Care of Children in Wartime to the following persons: Mr. Sollenberger, the gentleman from Blair; Mr. Sarge, the gentleman from Lebanon; Mr. Norman Wood, the gentleman from Lancaster; Mr. Franklin Lichtenwalter, the Majority Leader of the House and Mr. Walter E. Rose, the Minority Leader of the House. This telegram appears in today's issue of the Philadelphia Inquirer and reads as follows:

> "A public hearing that will qualify and give to the people of Pennsylvania—"

QUESTION OF PERSONAL PRIVILEGE

Mr. WALTER E. ROSE. Mr. Speaker, I arise to a question of personal privilege.

The SPEAKER. The gentleman from Cambria will state his question of personal privilege.

Mr. WALTER E. ROSE. Mr. Speaker, I do not want the record to show that I am the Minority Floor Leader.

Mr. CHUDOFF. Mr. Speaker, I did not hear the gentleman from Cambria.

The SPEAKER. The gentleman states he is not the Minority Floor Leader.

Mr. CHUDOFF. I stand corrected, Mr. Speaker. Mr. Rose is the Majority Whip. I am sorry that I referred to him as the Minority Floor Leader.

Mr. Speaker, I want to quote this telegram:

> "A public hearing that will clarify and give Pennsylvania real war legislation should not be delayed any longer. The letter of March 31st from Governor Martin recommends contacting you and other committee chairmen, and states 'I am sure that a request for a public hearing will be granted. Please advise.'"

With these closing remarks, Mr. Speaker, I wish to say, let us not make the mistake of passing the buck on this bill to the Senate. This is a very vital piece of legislation. We can perhaps go on talking for hours and hours about it but I am going to ask that each and every Member of this House, regardless of his political affiliation, vote to have this bill recommitted to the Committee on Education for a public hearing.

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Levy.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. LEVY. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, inasmuch as we have voted, as the gentleman from Philadelphia just said, about four times to recommit this bill, would the gentleman withdraw his motion to save the time of the House? We know what the vote will be and why not let us save the time of the House? It is getting late and we have not yet reached the third reading calendar.

Mr. LEVY. Mr. Speaker, I regret that I cannot go along with the request of the gentleman from Allegheny. In order to make it clear to the membership of the House I feel personally that child care, no matter if we were to debate it from January 18th until April 29th, would not be a waste of time, and as to the request to do away with the motion to recommit, in view of the fact that it has been asked on two previous occasions, I would say to the gentleman from Allegheny that because certain developments have occurred between last night's session and the session this afternoon, I thought that there might be some change of heart on the part of the gentlemen on the other side of the House. First, in view of the fact that the Governor of the Commonwealth stated that it is his desire to give most careful consideration to this legislation, and secondly, in view of the fact that he expressed his desire that the leaders in the House would accede to the request for a public hearing.

I regret to inform the gentleman from Allegheny, Mr. Brown, that I cannot go along with his request and I would ask, Mr. Speaker, that the roll be called.

Mr. WELSH. Mr. Speaker, I recognize that the majority of the Members desire to save time and that we have already consumed too much time in this unimportant matter, and I say that in contradiction to what Mr. Levy said.

I would ask you to hold yourselves to the firmest lines of cold logic to determine whether or not this bill or the bill of the gentleman from Philadelphia, Mr. Levy, or any kindred bill, is inflated with too great importance, that it has been tinctured with. I am a father, my children are grown up, but the happiest time of my life were the days in which those children were young and in which they were growing up under my supervision in my home. I would dislike to the very last degree to visualize such a situation, where my children would be obliged to be taken care of in the day nursery. I would hate the situation to arise where your children would be taken care of in a day nursery and I question whether this situation is so acute as to demand the passage of just such a bill.

I want to quote a few lines that I have gathered in opposition to the idea of establishing these schools, or these nurseries or whatever you may please to call them. I believe that the present bill is faulty in that it assigns a child to an organization that was organized by the state for an entirely different purpose. If it is created for the purpose of protecting us and aiding us in cases of great disaster, that would be alright, but this situation is one that is more closely related to our present social life, it does not belong to this newly created institution, but rather it belongs to the Department of Welfare of the Commonwealth of Pennsylvania in cases of children requiring assistance.

I want to quote from a clipping that I have taken from a local newspaper, which contains a statement by Director Mason of the Federal-State Employment Service, which reads as follows:

> "There is sound wisdom in the remark of Director Mason, of the Federal-State Employment Service, in announcing that Pennsylvania mothers of children under 14 years of age are not being encouraged to take jobs in war or other industries.
>
> "We need all the workers we can get," said Mr. Mason, "but we don't want to penalize children who need their mothers' care."
>
> "Some of the mothers who have left young children at home and have gone into industry are sincerely patriotic, without a doubt. There is nothing more patriotic than rearing a family of good, healthy citizens, and no mother thus engaged need feel that she is not doing her part."

This question in itself has broader aspects and broader lines which those of us who are eager to pass legislation setting up these institutions have possibly ignored. We must remember there was a reason for the song which we sang during the last war, "Keep the Home Fires Burning." Did that come from the hearts of those who were taken care of in the day nursery or did it come from the hearts of those who went forth to fight the enemy? We realize that the only thing that meant more than anything else to them was the continuance of their homes. Can you expect the continuance of your homes with the day nursery taking care of your children?

Mr. Speaker, let me read one more thing from this morning's newspaper which will explain this in greater detail than I can possibly visualize to you with my remarks. This is a quotation from this morning's newspaper, part of the testimony given by Mr. Hoover, who is the head of the FBI.

The paper states as follows:

> "Hoover Reports 'Alarming' Rise in Sex Crimes. Chief J. Edgar Hoover reporting an 'alarming' increase in juvenile crime, told Congress today that 'if, during this trying period, we forget the moral needs of the next generation we have not fulfilled the trust placed in us.'
>
> "'I think there is a very definite job to be done in every community in the country to combat this growing delinquency on the part of our young men and women,' he said in testimony made public by the House Appropriations Committee.
>
> "He reported that prostitution by girls under 21 had increased 64.8 per cent, as compared with last year, other sex crimes by girls 104.7 per cent, that arrests for assault by males under 21 had gone up 17.1 per cent and rape 10.6 per cent.
>
> "'And that,' he said, 'in spite of the fact that there is a large volume of young men who have gone into the military and naval services. These are practically all civilian arrests.'
>
> "He attributed the increase to high pay for youths, lack of recreational facilities, and decreased home influence because of the numbers of fathers and mothers both working."

I think, my fellow members, you can recognize that the establishment of these schools or these nurseries is a socialistic idea. It is intended to take children away from the home. Whether we say it is great or not, whether anyone else says it is great or not, I say when you vote today make sure that you do not hand your children over to persons who will do them more harm than good, not because they have the intention of doing so but because of their lack of motherly care and parental care. You can't hope to raise great Americans in institutions; it has not been done before and I do not think you can do it now. I see my friends wagging their heads but I say to them that it is my sincere conviction—I may go along with you on a party measure, but in my heart I feel that you are establishing a bad system and I do hope that the sincere Members of this House will think twice before they say yes or no on this bill.

Mr. DENMAN. Mr. Speaker, I desire to discuss a number of things which the gentleman preceding me has just discussed. Is it necessary to have unanimous consent to do that?

The SPEAKER. Will the gentleman yield until we have disposed of the motion to recommit?

Mr. DENMAN. Mr. Speaker, I desire to discuss the motion to recommit.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Brown.

Mr. BROWN. Mr. Speaker, believing that some gentlemen may want to discuss this bill, I move that the motion to recommit be laid upon the table.

MOTION WITHDRAWN

Mr. LEVY. Mr. Speaker, that will not be necessary. I withdraw my motion until after the gentleman from Allegheny has spoken, in answer to the gentleman from Philadelphia.

The SPEAKER. The gentleman from Philadelphia, Mr. Levy, withdraws his motion to recommit.

On the question recurring,

Shall the bill pass finally?

Mr. DENMAN. Mr. Speaker, the previous gentleman who spoke, I don't know his name, said that this particular type of legislation is not necessary, that the situation is not acute. I wonder if the gentleman knows that there is a war on. I wonder if he knows that before this war is over gas will be used, and I wonder if he realizes that we stand to be gassed. And what will he do with children who have not gas masks? If ever a piece of legislation is necessary, this particular type of legislation is. I will not say that this particular bill is the answer, I doubt it very much. The situation is acute and women are needed in industry, and mainly because those who can take a few hours from their regular work do not go down to the mills and elsewhere to do their jobs. There are plenty of men who could go into industry to work and relieve the home situation if they would, but they simply won't do it. They seem not to be interested. That is verified by the low number who go down to give blood.

Mr. Speaker, the gentleman has said, "Keep The Home Fires Burning." That is true. And this can be best done by men like us who can afford the time to go down to the mills and do the work that these women are doing because all of us do not do our job after our regular hours. Some people do but most do not. The day nursery is going to be very, very necessary.

This particular type of legislation must be enacted sooner or later. Down in the southern states where they have done it and have done it in a careless manner, they are very sorry for it. I do not want to speak for or against this particular bill just now, but I do urge you, not to consider this as a partisan measure, whether it is exactly what the Governor wants or whether it is not. We speak of elections next year, but how do you know we are going to have elections next year, we haven't won the war yet? It is only fifteen and three quarter hours to Berlin in a fast bomber and I know whereof I speak. You say we cannot do it. If you will read in the morning paper you will see that Mr. Kaiser has proposed bombers that can carry a pay load for 17,000 miles without touching the ground. We are very vulnerable. In discussing this bill, in considering it, let us not hold any grievances against anyone but let us remember that we hope that the time will not come when we will have to use it, but before the Axis is defeated it is going to make one last grandstand play and take its planes clear up into the substratosphere, that is about 22,000 feet, above the actual range where anti-aircraft guns can be efficient, and it is going to go places and maybe this is just where it is going to go—win or lose, the devil may care, but just to give us a taste of what has been going on in Europe.

In your hearts you know you must take care of these children as well as ourselves. Let us not be selfish. If it is necessary to put this bill on the postponed calendar or put it aside longer than that, let us do it. Let us when we pass this legislation make sure that it is right. I have investigated this matter and I do not think the Department of Welfare has studied this bill a whole lot. I do not know if it was consulted. I don't know if the Department of Health considered it. Whenever these centers are established in various places there must be definite health plans, there must be all kinds of precaution provided for the children, and the cost is going to mount into the millions and not $187,000. It would cost at least that much to get one building ready. We should not consider this bill from a partisan standpoint. Let us remember, we shall win this war or we shall die. We cannot afford to put petty legislation or petty politics in front of this war effort.

Mr. LICHTENWALTER. Mr. Speaker, I had not intended to say anything particular as to the interrogation of the gentleman from Philadelphia. I have listened to a number of men on this floor and I think we have heard arguments that prove conclusively that this is a good bill. We have heard from a gentleman on the other side who warns us that we are doing the wrong thing in passing any kind of child legislation and the creation of child care centers. He branded it as a step toward socialism. Then we have also heard about the bills introduced by the gentleman from Philadelphia which would go to the other extreme, which would establish child care centers and expend millions of dollars in doing so.

In this bill which is purely for the establishment of child care centers, because of the problems with which we are confronted due to the war in which we are engaged—and this bill is a war time measure—we are giving authority to the Council of Defense of Pennsylvania. The Council of Defense is not made up on lines of partisanship, it is in no way political, it has minority representation. It is a council that I feel has done a job in Pennsylvania and which I have been given to understand is enviable throughout the nation. The Pennsylvania State Council of Defense in its work has been an example to states throughout the nation. We say the thousands of people of Pennsylvania that they come under the rules and regulations and have joined the efforts of that Council in carrying out the job that they have set out to do for the citizenry of Pennsylvania. Are we saying to them now: "You cannot do a good and decent job for the people of Pennsylvania in this problem of child welfare and the establishment of child care centers?"

I think we will all agree that the volunteer efforts of the people of Pennsylvania in this war, offered under the guidance of the State Council of Defense are commendable and that their work is certainly worthy of praise. I am sure that if we will but give them a chance they will meet this problem that confronts Pennsylvania at this time in the establishment of child care centers.

Mr. COHEN. Mr. Speaker, I had not intended to say anything more on this bill, and I would not except that I think the statement of the gentleman from Lehigh deserves an answer.

I trust no one got the impression during all the debate on this bill that the ability of the State Council of Defense or the record of the State Council of Defense has been assailed in any way. The point we have been making, the point we now make and the point we must continue to make if this bill must be passed in its present form is that you are not equipping the State Council of Defense or any other agency with the necessary equipment to do a proper job.

Mr. LEVY. Mr. Speaker, I have no quarrel with the Majority Leader of the House when he says that the office of Civilian Defense and its district councils deserve the praise and the respect of every Member of this House of Representatives, but I do disagree when he says that this is the agency that should take care of the child care problem in Pennsylvania. I do not disagree alone, the Governor of Pennsylvania only one week ago apparently disagreed in the speech made only fifty miles from Harrisburg when he said, "There is not an acre of the soil in the entire Commonwealth of Pennsylvania that is not capable of being bombed."

I say to the gentleman from Lehigh, if the Governor of the Commonwealth with such a brilliant military record behind him makes the charge that there is not an acre in the Commonwealth of Pennsylvania that could not be bombed, then, gentlemen of the House, is that not enough for the office of civilian defense?

The gentleman from Lehigh says, "Give the office of civilian defense a chance." A chance for what? A chance to care for children? What member of the Council of Civilian Defense or of the district councils throughout the Commonwealth of Pennsylvania have been schooled in the care of children? What officers in the whole agency has been taught what is right and what is wrong in the problem of child care? It is that line of distinction, Mr. Majority Leader that we quarreled with in House Bill 849; it is because House Bill 849 is not only inadequate, it is because House Bill 849 does not vest in the proper agency of the Commonwealth the adequate and the reasonable care of children in Pennsylvania.

MOTION TO RECOMMIT

Mr. LEVY. Mr. Speaker, I move that House Bill 849, be recommitted to the Committee on Education for the purpose of a public hearing, and I would only ask for a voice vote.

On the question,
Will the House agree to the motion?
It was not agreed to.
On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Finnerty,
Figlock,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—4

Chudoff,
Dillon,
Levy,
Maxwell,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. MAXWELL. Mr. Speaker, I wish to be recorded as voting "no", and would like to make a brief statement giving my reason.

The SPEAKER. The gentleman is privileged to file his reasons but they must be in writing. The gentleman will send his reasons to the desk.

BILL PASSED OVER

There being no objection House Bill No. 703, Printer's No. 265, was passed over at the request of Mr. SMITH.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 844, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing that, under war time conditions, the Department of Property and Supplies may make certain purchases, and may authorize any department, board or commission, to make certain purchases without advertising, competitive bidding, or contract; authorizing departments, boards, and commissions to make certain direct purchases of various publications; further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings, and over the plans and specifications therefor; and relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings.

On the question,
Will the House agree to the bill on third reading?

Mr. LLOYD H. WOOD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 2, line 10 of title, by inserting after the word "advertising" the following: "or".

Amend title, page 2, lines 11 and 12 of title, by striking out the words "or to make certain direct purchases of various publications."

Amend title, page 2, line 16 of title, by striking out the word "and" where it first appears in said line.

Amend title, page 2, last line of title, by inserting after the word "buildings" the following: "and authorizing departments, board and commissions to make certain purchases of repair parts, to contract for public utility services, to rent machinery and equipment, to employ labor on a temporary basis under certain conditions, to subscribe to certain publications, and to take memberships in certain organizations and societies."

Amend Sec. 1, page 3, lines 19 and 20, by striking out the following: "thereto immediately after clause (c) two new clauses" and inserting in lieu thereof: "at the end thereof two new paragraphs."

Amend Sec. 1 (Sec. 507), page 3, lines 21 to 28, by striking out the following: "It shall be unlawful for any" in line 21, and all of lines 22 to 28, both inclusive.

Amend Sec. 1 (Sec. 507), page 4, lines 1, 2 and 3, by striking out the following: all of lines 1 and 2, and the letter "(d)" in line 3, and inserting in lieu thereof: "* * * *"

Amend Sec. 1 (Sec. 507), page 4, line 16, by striking out the words "or entering into contracts for the same."

Amend Sec. 1 (Sec. 507), page 4, lines 21 to 27, both inclusive, by striking out all of said lines, and inserting in lieu thereof:

"Notwithstanding any of the foregoing provisions of this section, any department, board or commission may:

"(1) Purchase repairs or repair parts for its equipment from the manufacturer of such equipment or from the manufacturer's authorized dealer;

"(2) Contract for services of the public utility companies;

"(3) Rent machinery and other equipment and devices;

"(4) Employ professional or skilled labor on a temporary basis in instances where the Department of Property and Supplies does not have an applicable contract, but all such employment shall be approved by the Governor except in the case of a State institution, when it shall be approved by the head of the department having supervision over the institution;

"(5) Subscribe to periodicals, magazines or newspapers or purchase books or take memberships in independent organizations or societies having related functions, but all such memberships shall be approved by the Governor."

Amend bill, page 7, by inserting between lines 13 and 14, the following:

Section 4. Section two thousand four hundred three of said act, as last amended by the act, approved the twenty-first day of June, one thousand nine hundred thirty-seven (P. L. 1865), is hereby further amended by adding at the end thereof, a new paragraph to read as follows:

"Section 2403. Standards and Purchases—

* * * *

"Whenever a state of war exists between the United States and any other nation or nations, and brings about commercial conditions which make it impossible because of continually changing prices to obtain contracts for the furnishing of commodities, supplies and equipment necessary for the proper functioning of the departments, boards or commissions, the Department of Property and Supplies is hereby empowered to purchase, and to authorize in writing any department, board or commission to purchase, within reasonable limits in any locality in the open market at the lowest and most advantageous prices, commodities, supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids for the same, when commercial conditions are such that make it impossible to secure competitive bids until such times as the state of war shall cease and normal market conditions shall be restored."

Amend Sec. 4, page 7, line 14, by striking out the figure "4" and inserting in lieu thereof: "5".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. James.

The House resumed the consideration on third reading of House Bill No. 535, entitled:

An Act to amend Sections 1, 2, 3, 5, 7 and 9, to further amend Sections 4, 6, 8 and 10 of, and to add Sections 2.1 2 2, and 7.1 to, the act, approved the twenty-fourth day of July, one thousand nine hundred and thirteen (P. L. 965), entitled "An act defining commodities; regulating the sale thereof; and providing penalties for violation hereof," by defining further, words and terms used herein; further regulating the sale of commodities; authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act; and granting additional powers to inspectors of weights and measures.

On the question,

Will the House agree to the bill on third reading?

Mr. JAMES. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 1, (sec. 1) page 2, line 27, by inserting after the word "one" the following: "or more than one".

Amend sec. 1, (sec. 1) page 3, line 2, by inserting after the word "measure" the following: "except cases, cartons, crates, bundles or bales used for bulk shipping or storage; Provided, That enclosed packages are marked as to weight, measure or numerical count."

Amend sec. 7, (sec. 7) page 10, line 4, by striking out the words "one-half of one per centum" and inserting in lieu thereof the following: "one-eighth of an ounce per pound".

Amend sec. 10, (sec. 9) page 12, line 14, by inserting after the word "act" the following: "No retailer shall be prosecuted for having in his possession or offering for sale any article of merchandise which he has purchased in good faith for resale and which is packed in sealed, unbroken and undamaged original packages or containers because of a shortage in weight which exceeds the maximum tolerance provided herein, except such articles of merchandise which have been packed or packaged by said retailer."

Amend sec. 10, (sec. 9) page 12, line 19, by inserting after the word "inspector" the following: "or properly authorized person".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 691, as follows:

An Act to further amend clauses nine and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining original members and prior service in the case of officers and employes of the Department of Public Instruction who have withdrawn from the Public School Employes' Retirement Association

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses nine and thirteen of section one of the act approved the twenty-seventh day of June one thousand nine hundred twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) are hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

9 "Original member" of the retirement association shall mean a State employe who was at any time a State employe or a member of the Public School Employes' Retirement Association prior to January first one thousand nine hundred twenty-five whether or not such employment or such membership has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five or in the case of officers and employes of the Department of Public Instruction who have withdrawn from the Public School Employes' Retirement Association who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred forty-three

Any such State employe who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

In addition thereto in the case of a State employe who has withdrawn from the Public School Employes' Retirement Association the Public School Employes' Retirement Board shall transfer to the State Employes' Retirement Fund from the School Employes' Retirement Fund an amount equal to the State annuity reserve of such employe in the School Employes' Retirement Fund

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

* * * * *

13 "Prior Service" shall mean all service as a State employe completed not later than the thirty-first day of December nineteen hundred twenty-three and in the case of judges shall mean all service completed prior to becoming a member of the retirement association and in the case of officers and employes of the Department of Public Instruction who have withdrawn from the Public School Employes' Retirement Association prior service shall also include all service completed while a member of the Public School Employes' Retirement Association and all prior service which had been credited by the Public School Employes' Retirement Association

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
Robertson,
Root,
Rose, S.,
Rose, W. E.
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,

Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 194, as follows:

An Act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to applicants who are less than twenty-one but not less than eighteen years of age

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Notwithstanding the provisions of any other law for the duration of the present War in which the United States is engaged and for one year after the cessation of hostilities any departmental administrative board within the Department of Public Instruction authorized to administer examinations for licensure or registration to practice a profession except the profession of medicine dentistry osteopathy and optometry may admit to examination and authorize the issuance of a license or registration to an applicant who is less than twenty-one years of age but not less than eighteen years of age and who is a citizen of the United States

Section 2 All acts and parts of acts inconsistent herewith are hereby suspended during the time this act shall remain in effect

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection Senate Bill No. 262, Printer's No. 151, was passed over at the request of Mr. WALTER E. ROSE.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 542, entitled:

An Act concerning arrests by peace officers, providing for the questioning and detention of suspects, searching suspects for weapons, the force permissible in making and resisting arrest, arrests without a warrant, the release and detention of persons arrested and the identification of witnesses, prescribing penalties, and making uniform the law relating thereto.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 590, as follows:

An Act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds making the provisions of the act retroactive and repealing existing laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any person or corporation of this Commonwealth has erroneously or inadvertently paid or caused to be paid into the treasury of any political subdivision directly or indirectly any tax or taxes on real or personal property or any license fee or fees under an assumption that such taxes or license fees were due and owing when in fact such taxes or license fees or a part thereof were not due and owing to the political subdivision then in such cases the authorities of the political subdivision upon due proof of any such erroneous or inadvertent tax or license fee payments are hereby directed to draw their warrant on the treasurer or such political subdivision in favor of such person or corporation to make refund out of the public funds of such tax or taxes or license fee or fees to which the political subdivision has no valid claim Providing however That no such refund shall be made sooner than the first day of September one thousand nine hundred forty-four

The provisions of this act shall be construed to include taxes paid upon real estate assessments which erroneously contained buildings which had been previously destroyed or torn down but whose destruction was not noted by the assessors and was included in the assessment

Section 2 In the event of refusal or failure on the part the authorities of the political subdivision involved to make any such refund of taxes or fees so erroneously paid into the treasury thereof then the aggrieved person or corporation shall have the right to recover the sum involved by instituting an action in assumpsit in any court of competent jurisdiction within the county wherein such political subdivision is located

Section 3 The provisions of this act shall be retroactive and effective as to any and all taxes and fees heretofore erroneously or inadvertently paid into the treasury of any political subdivision for a period of not exceeding ten years prior to the discovery of such erroneously paid taxes and fees

Section 4 The act approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 786 entitled' "An act authorizing county commissioners to refund taxes and license fees erroneously and inadvertently paid by persons and corporations into the county treasury and limiting the time within which claims for refunds must be made" and the act approved the second day of June one thousand nine hundred and thirty-seven (P. L. 1211) entitled "An act to further amend the title and section one of the act approved the eighth day of May one thousand nine hundred and twenty-nine (P. L. 1656) entitled 'An act authorizing county commissioners to refund taxes erroneously and inadvertently paid by persons and corporations into the county treasury' extending said act to all political subdivisions" are hereby repealed absolutely

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley.
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Walsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 112, as follows:

An Act authorizing the Armory Board of the State of Pennsylvania to construct and erect in the County of Dauphin a memorial or monument in memory of the residents of Dauphin County who served in the forces of the United States during World War I and making an appropriation

Whereas The Harrisburg Chamber of Commerce did on the ninth day of August one thousand nine hundred twenty-eight pay over to the Armory Board of the State of Pennsylvania the sum of twenty-seven thousand five hundred ninety-three dollars and seventy-eight cents ($27,593.78) for the purpose of erecting a Dauphin County Memorial in honor of those residents of Dauphin County who served in the forces of the United States during World War I and

Whereas The said memorial was never erected and the aforesaid twenty-seven thousand five hundred nintey-three dollars and seventy-eight cents ($27,593.78) has since been expended by the said Armory Board for the benefit of the Commonwealth therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Armory Board of the State of Pennsylvania shall arrange for the construction and erection in the City of Harrisburg on public grounds of a suitable monument or memorial to the memory of all residents of Dauphin County who served in the forces of the United States during World War I Said memorial shall be constructed in the manner and subject to the provisions and restrictions set forth in the decree of the court of common pleas of Dauphin County relative to the construction of such memorial by the said Armory Board which decree reads as follows

"Harrisburg Chamber of Commerce plaintiff and Donald McCormick and Stanley G Jean Defendants

Decree

And now June 26 1928 upon consideration of the foregoing case it is ordered adjudged and decreed as follows

1 That due notice as required by law and the order of court filed May 7, 1928 has been given by publication as therein directed and in the form approved by the court of the subject matter of the bill filed and that leave will be given to anyone to intervene and to appear and be heard on this day

2 That no one has appeared to intervene or be heard in objection to the prayers of the bill

3 That upon this day the parties have appeared together with a large number of interested persons and no objection criticism or traverse of any of the matters in the bill set forth has been offered or suggested the answer admitting the facts in the bill set forth

4 That upon testimony taken and evidence offered the court doth hereby specifically find the facts to be as in the said bill set forth adopting the same as its own findings

5 That the action of the plaintiff in accepting the proposition of the Armory Board of the Commonwealth of Pennsylvania that in consideration of the acquisition and conveyance to the Commonwealth for use of an armory site of the said seven acres of land in the bill described from the moneys in this fund the said Board will construct upon the said land or the thirteen acres adjacent thereto or both a memorial to take the form of a gateway building or other suitable structure the exact nature of which should be determined by the said Board and the plaintiff or in the event of their failure to agree then by this court be authorized ratified and approved

6 That the defendants be enjoined and directed to make payment of the funds in their hands and control the subject of this action for the project and under the program as outlined hereinbefore approved and upon such payment made they be decreed to be released from any further future liability

7 That the Court will retain jurisdiction over these matters for the purpose only of determining the character of the memorial in the event of the failure of the plaintiff and said Armory Board to agree upon the exact nature and form of the proposed memorial and for the purpose of approving any agreement thus made

8 That the costs of this proceeding be paid out of the fund

By the Court
JOHN E. FOX (Signed)
A L J"

Section 2 The Armory Board shall have power to enter into any and all contracts deemed necessary to carry into effect the provisions of this act

Section 3 The sum of twenty-seven thousand five hundred ninety-three dollars and seventy-eight cents ($27,593.78) is hereby specifically appropriated to the Armory Board of the State of Pennsylvania for the purpose of carrying out the provisions of this act

Section 4 This act shall become effective on the first day of June one thousand nine hundred and forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—130

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reese, R. E.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger.
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Fiss,
Speaker.

NAYS—71

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Flynn,
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Regan,
Reynolds,
Rose, S.
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Swope,
Tate,
Thompson,
Trent,
Verona,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading ond consideration of House Bill No. 514, as follows:

An Act to amend the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" further regulating such retirement systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one eight ten eleven thirteen and fifteen of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 803) entitled "An act providing for the creation maintenance and operation of a county employes retirement system in counties of the fifth class imposing certain charges on counties and prescribing penalties" are hereby amended to read as follows

Section 1 The following words and pharses as used in this act unless a different meaning is plainly required by the context shall be construed to have the following meanings

"Board" the county retirement board created by this act

"County Employe" [an officer or employe of the county whose salary or compensation is paid on a yearly or monthly basis and also any officer or employe regularly employed whose compensation is] any person whether elected or appointed who is employed by the county the county institution district in the county prison or in any other institution maintained by the county from county moneys or who is employed by any county or State official and paid by such official from moneys appropriated by the county for such purpose whose salary or compensation is paid in regular periodic installments but shall not include any person paid on a per diem basis

In all cases of doubt the board shall determine whether a person is an employe within the meaning of this act and its decision shall be final

"Fund" the county employes retirement fund created by this act

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act and standing to the credit of the members' annuity reserve account together with the regular interest thereon

"Contributor" any person who has accumulated deductions in the fund created by this act standing to the credit of the members' annuity reserve account

"Beneficiary" any person in receipt of a retirement allowance under this act

"Prior Service" all service as a county employe served not later than December thirty-first preceding the year the retirement system shall be established in said county

"Original Member" a member who was [at any time a county employe prior to January first of the year the retirement system is established in said county] a county employe on the date of establishment of the retirement system in said county

"New Member" a member who shall have become a member of the retirement system [subsequent to the date the retirement system is established] after the date of establishment of the retirement system in said county

"Superannuation Retirement Age" as applied to a contributor means sixty years of age or upwards

"Final Salary" the average annual salary received by a contributor for the five years of service immediately preceding retirement or in the event a member has not served five years the total salary received divided by the number of years served

"Regular Interest" interest at the rate of three and one-half per centum compounded annually

"County Annuity" payments for life or during disability derived from contributions made by the county and the interest earnings thereof

"Member's Annuity" payments for life or during disability derived from contributions made by the contributor and the interest earnings thereof

"Retirement Allowance" the county annuity plus the member's annuity

Section 8 Compulsory Membership Each county officer may and each county employe shall be required to become a member of the retirement system established under the provisions of this act at such date as may be specified in the resolution establishing the retirement system and thereafter when first becoming a county employe Those becoming members [who have been at any time county employes prior to the first Monday of January of the year the retirement system is established] on the date of establishment of the retirement system shall be known as original members and those becoming members after said date as new members [Provided however That if any person who becomes a county employe subsequent to the first Monday of January of the year the retirement fund was established shall have been at any time theretofore a county employe he shall receive credit for the service prior to the first Monday of January of the year the system was established and shall be known as an original member]

Section 10 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the county prior to January first of the year the retirement system was established This shall include the service of a county official whose compensation was in the form of fees collected by his office and shall also include the services of employes paid directly by such county official out of such fees As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first of the year the retirement system was established Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the member The time during which a member is absent from service without pay shall not be counted in computing the service of a contributor unless allowed by the county commissioners and approved by the board

Section 11 Superannuation Retirement Allowance Any contributor who has reached superannuation retirement age may retire for superannuation by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Said application shall retire said contributor at the time so specified

On retirement for superannuation a beneficiary shall receive a retirement allowance which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the member's annuity reserve account and (b) a county annuity equal to one one-hundred-twentieth (1-120) of his final salary multiplied by [the number of years he has been a contributor] each year of total service and in addition thereto in the case of an original member one one-hundred-twentieth (1-120) of his final salary multiplied by each year or prior service but the total county annuity shall never exceed fifty per centum of the final salary

Section 13 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily or an elected county officer complete his term of office and discontinue service after having completed ten years of total service but before reaching superannuation retirement age he shall be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit in the members' annuity reserve account or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit in the members' annuity reserve account and in addition a county annuity having a value equal to the present value of a county annuity beginning at superannuation retirement age as provided in this act with respect to county annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 15 Payment of Balances Where Disability Annuitant Dies Should a person receiving a disability retirement allowance die before receiving total [member's annuity] payments equal to the amount standing to his credit in the member's annuity reserve account at the time of retirement there shall be paid to his estate or beneficiary the difference between such credit and the total [member's annuity] payments received

Section 2 Said act is hereby amended by adding between sections seventeen and eighteen therof three new sections to read as follows

Section 17.1 No Simultaneous Payments of Salary and Retirement Allowance Should a person receiving a superannuation retirement allowance or an involuntary retirement allowance or a total disability retirement allowance be reemployed by the county the retirement allowance of such person shall immediately cease Such person shall thereupon be reinstated as a contributor and there shall be restored to his credit as accumulated deductions the actuarial value of his member's annuity computed as of the date of his re-employment

Section 17.2 Validation of Certain Contributions All employes of the county institution district the county prison or any other institution maintained by the county and all employes of any county or State official paid by such official from moneys appropriated by the county for such purpose who heretofore made contributions to the retirement fund by payroll deductions intending thereby to become members of the retirement system and contributors to the retirement fund are hereby declared to be regular and valid members and contributors as of the time of their first contribution with the same rights and privileges as any other county employes who became members and contributors in the retirement system

Section 17.3 Admission to Retirement System of Those Who have Heretofore Failed to Join Any county officer who did not become a member of the retirement system when it was first established if he then held office and has since then continuously held office of whose term of office began after the establishment of the retirement system and who did not become a member of the retirement system when his term of office began shall be permitted to become a member of the retiremnt system at any time and receive a retirement allowance based upon service as a county employe rendered after such date of membership Provided however That if membership is consummated within one year of the effective date of this amendment or within one year from the beginning of such term of office and such sums as would have been deducted from his salary had he become a member at the time of the establishment of the retirement system or of the commencement of such term of office shall have been paid into the retirement system he shall thereupon become entitled to all the rights and privileges in the retirement system as would have been vested in him had he become a member and contributor at the time the retirement system was established or his term of office began

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 519, as follows:

An Act to amend the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and rgulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" further regulating such retirement systems

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two three nine eleven fourteen and sixteen of the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 298) entitled "An act authorizing the creation of and providing for and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class imposing certain charges on counties and fixing penalties" are hereby amended to read as follows

Section 2 Definitions The following words and phrases as used in this act shall be construed to have the following meanings

"Board" the county retirement board created in any county under the provisions of this act

"County employe" any person whether elected or appointed who is employed by the county the county institution district in the county prison or in any other institution maintained by the county from county moneys whose salary or compensation is paid in regular periodic installments but shall not include any person paid on a per diem basis In all cases of doubt the board shall determine whether a person is an employe within the meaning of this act

"Fund" the county employes' retirement fund created in any county under the provisions of this act

"Accumulated deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund and standing to the credit of the members' annuity reserve account together with regular interest thereon

"Contributor" any person who has accumulated deductions in the fund standing to the credit of the members' annuity reserve account

"Beneficiary" any person in receipt of a retirement allowance under this act

"Prior service" all service as a county employe served before the establishment of the retirement system in said county

"Original member" a member who was [at anytime a county employe before the] a county employe on the date of establishment of the retirement system in said county

"New member" a member who shall have become a member of the retirement system after the establishment of the retirement system in said county

"Superannuation retirement age" as applied to a contributor means sixty years of age or upwards

"Average salary" the average annual salary received by a contributor for the five years of service immediately preceding retirement or in the event a member has not served five years the total salary received divided by the number of years served

"Regular interest" interest at the rate of three and one-half per centum compounded annually

"County annuity" payments for life or during disability derived from contributions made by the county and the interest earnings thereof

"Members' annuity" payments for life or during disability derived from contributions made by the contributor and the interest earnings thereof

"Retirement allowance" the county annuity plus the members' annuity

Section 3 County Retirement System County Retirement Board The county commissioners are hereby authorized to establish a system for the retirement of county employes in each county of the fourth class which shall if established be administered by a county retirement board which shall consist of the county commissioners the county controller the treasurer the register-of-wills the clerk or clerks of the courts and the recorder of deeds The chairman of the board of county commissioners shall be chairman of the board Each member of the board may designate a deputy or clerk to act on said board in his stead Five members of the board shall constitute a quorum

Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and he will not knowingly violate or permit to be violated any of the provisions of this act Such oath shall be subscribed by the member taking it and shall be filed among the records of the board The members of the board shall not receive any compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duties

The retirement system created by this act shall be established in each county as of the date fixed by resolution of the county commissioners for such system to become effective

Section 9 Membership Each elected officer may and each appointed county employe shall be required to become a member of the retirement system established under the provisions of this act as of the date the same is established or when such county employe first becomes an employe if after such retirement system is established Those becoming members when the retirement system is originally established shall be known as original members and those entering county employment thereafter as new members [Provided however That if any person who becomes a county employe subsequent to the time the system was established shall at any time theretofore have been a county employe he shall receive credit for the service prior to the time the system was established and be known as an original member]

Section 11 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the county prior to the time the system became effective This shall include the service of a county official whose compensation was in the form of fees collected by his office and shall also include the service of employes paid directly by such county official out of such fees As soon as practicable the board shall issue to each original member a certificate certifying the aggregate length of his prior service unless thereafter modified by the board upon application of the member The time during which a member is absent from service without pay shall not be counted in computing the service of a contributor unless allowed by the board

Section 14 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily or an elected county officer complete his term of office and discontinue service after having completed ten years of total service but before reaching superannuation retirement age he shall be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit in the members' annuity reserve account or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to this credit in the members' annuity reserve account and in addition a county annuity having a value equal to the present value of a county annuity beginning at superannuation retirement age as provided in this act with respect to county annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 16 Payment of Balances Where Disability Annuitant Dies Should a person receiving a disability retirement allowance die before receiving total [members' annuity] payments equal to the amount standing to his credit in the members' annuity reserve accounts at the time of retirement there shall be paid to his estate or beneficiary the difference between such credit and the total [member's annuity] payments received

Section 2 Said act is hereby amended by adding between sections nineteen and twenty thereof a new section to read as follows

Section 19.1 Admission to Retirement System of Those Who Have Heretofore Failed to Join Any county officer who did not become a member of the retirement system when it was first established if he then held office and has since then continuously held office or whose term of office began after the establishment of the retirement system and who did not become a member of the retirement system when his term of office began shall be permitted to become a member of the retirement system at any time and receive a retirement allowance based upon service as a county employe rendered after such date of membership Provided That if membership is consummated within one year of the effective date of this amendment or within one year from the beginning of such term of office and such sums as would have been deducted from his salary had he become a member at the time of the establishment of the retirement system or of the commencement of such term of office shall have been paid into the retirement system he shall thereupon become entitled to all the rights and privileges in the retirement system as would have been vested in him had he become a member and contributor at the time the retirement system was established or his term of office began

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 680, as follows:

An Act to amend section one of the act which became effective on the seventh day of July one thousand eight hundred and seventy-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act" further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act which became effective on the seventh day of July one thousand eight hundred and seventy-nine (P. L. 194) entitled "An act to enlarge the jurisdiction of justices of peace and regulating the fees of constables making sales under this act" is hereby amended to read as follows

Section 1 Be it enacted &c That the aldermen magistrates and justices of the peace in this commonwealth shall have concurrent jusisdiction with the courts of common pleas of all actions arising from contract either express or implied and of all actions of trespass [and of trover and conversion] wherein the sum demanded does not exceed three hundred dollars except in cases of real contract where the title to lands or tenements may come in question [or action upon promise of marriage]

The jurisdiction herein conferred in actions of trespass shall include all actions arising from claims for damages recoverable at the common law in actions of trespass trover and conversion or trespass on the case except slander and libel and distinctions heretofore existing are hereby abolished and such claims shall hereafter be sued for and recovered in one form of action to be called an action in trespass

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook
Cooper,
Cordier,
Corrigan,
Croop,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Reese, D. P.,
Rose, W. E.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 684, as follows:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing the certain officers of dissolved business corporations to execute and deliver deeds conveyances agreements assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article XI of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended by adding thereto immediately after section one thousand one hundred eleven a new section to read as follows

Section 1111.1 Perfecting or Completing Transfer of Real Property After Dissolution Any business corporation which has been dissolved either by the issuance of a certificate of dissolution by the Department of State or by a decree of a court of common pleas or by expiration of its period of duration or by the sale of all its franchises property and assests to another business corporation may nevertheless execute and deliver suitable deeds conveyances agreements assignments and all other instruments necessary to perfect or complete transfers of real property easements and all other rights therein intended to have been completed or perfected by such corporation prior to its dissolution The officers of such corporation last elected or the survivors of them shall be officers to represent said corporation for such purposes and if no officers survive stockholders may elect officers under their by-laws and any deed or other instrument thus made shall be as effective as though dissolution of the corporation involved had not taken place This act shall not be construed so as to enable any corporation to engage in or transact new business after its dissolution

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hare,
Hannon,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 742, as follows:

An Act to amend section one of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 346) entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed levied and collected upon the basis of the county assessments imposing duties on county assessing authorities abolishing the department of assessors in cities of the second class and transferring certain property to county taxing authorities" by defining the effect upon appeals of the certification of tax duplicates to cities of the second class and to school district coterminous therewith and providing for exonerations and refunds of taxes assessed against properties affected by such appeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the fifteenth day of June one thousand nine hundred and thirty-nine (P. L. 346) entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed levied and collected upon the basis of the county assessments imposing duties on county assessing authorities abolishing the department of assessors in cities of the second class and transferring certain property to county taxing authorities" is hereby amended to read as follows

Section 1 All city taxes in cities of the second class to be levied and assessed for the year one thousand nine hundred and forty-three and subsequent years shall be levied and assessed on the real estate and personal property as contained in the assessments made for county tax purposes for said year It shall be the duty of the proper county assessing authorities to assess all property in cities of the second class whether real or personal taxable under any general special or local law for city purposes to designate real property or parts thereof or property thereon not taxable for city purposes and to classify all real property in such cities in such manner and upon such testimony as may be adduced before them so as to distinguish between the buildings on land and the land exclusive of the buildings It shall be the further duty of such county taxing authorities to furnish annually on or before the first day of November to the city controller of said cities and to the board of school directors of the school districts coterminous therewith a properly certified duplicate of the [last] then existing adjusted valuation of all property taxable for county purposes and for city purposes within the territorial limits of said cities excepting only such assessments of intangible personal property as shall not be subject to the payment of city or school taxes Said certification shall not affect the validity of appeals filed either with the county assessing authorities or with the court pursuant to the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 626) and amendments thereto and if any assessment shall be reduced as a result of such appeal an exoneration for the proper amount to equalize such reduction shall be granted by the taxing authorities if the taxes based upon such assessment have not been paid and if the taxes based upon such assessment have been paid the excess taxes collected shall be refunded by the taxing authorities to the person having made such payment Such refunds shall be made within thirty (30) days after the taxing authorities have been notified of the reduction made in the assessment by the Board of Property Assessment Appeals and Review or by the court

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BROWN. Mr. Speaker, I see in House Bill 742, Printer's No. 272, the execution of the gentleman from Allegheny, Mr. Mihm and myself, and I know of no man in the House more able to give us help than the gentleman from Wayne, Mr. Dix. I recall very vividly a session ago when the same thing that happened to us had happened to Mr. Dix, and how I consoled him after he had made his speech on "someone stealing my bill." I need an advocate, I need the benefit of clergy, and, Mr. Speaker, with your permission I would like to yield the floor to my friend from Wayne, Mr. Dix, so that he may petition in our behalf.

Mr. DIX. Mr. Speaker, it is with considerable satisfaction that I discovered that the Democrats were not the only people who are stealing bills. I regret to learn that the Republican Members are guilty of the same charge. I certainly sympathize with my colleague from Allegheny, Mr. Brown. I know that he is an authority on constitutional law and I have become sort of an authority on legislative law in reference to the stealing of bills.

You will not find any law against bill stealing on the statute books of Pennsylvania, but I believe that you will find a law, a sort of moral law, which was enunciated thousand of years ago by Moses on tablets of stone, which were known as the Decalogue, on Mount Sinai, according to Mr. Salus. That law very plainly states "Thou shalt not steal," and for that reason, Mr. Speaker, I wish to join with my colleague from Allegheny, Mr. Brown, and ask that the members of this House on both sides in the future refrain from any such practices. I don't know when those practices started. As a member of the House I came down here two years ago and four years ago, and I discovered there was very little bill stealing at that time, but two years ago the practice started among the Democrats, and now it has spread from one side of the House to the other. Evidently the members on the Republican side of the House have been contaminated by association with the Democrats.

Mr. Speaker, I don't know exactly who the representative was that stole the bill from Mr. Brown, and I would like to interrogate Mr. Brown for just a moment, if I may.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BROWN. Mr. Speaker, I move that my advocate be laid on the table.

Mr. DIX. Mr. Speaker, I would like to further interrogate the gentleman.

The SPEAKER. The Chair would suggest that the two gentlemen seriously consider bills to prevent "bill" stealing.

Mr. DIX. Mr. Speaker, may I ask Mr. Brown what he would consider would be the proper penalty for a man who would steal a bill such as Mr. Hannon has done from him?

Mr. BROWN. Mr. Speaker, I thought my advocate was here to defend me, instead of asking me to state what sentence is necessary. If my advocate wants me to say what the penalty should be, then I should fire my advocate. He started off by condeming the Democrats. I think if my advocate will yield, I will stop right here.

Mr. DIX. Mr. Speaker, I regret very much that the gentleman from Allegheny, Mr. Brown, feels that I have not properly defended him, and if I have not, I wish to apologize. I would say this, that if I had the power, the judicial power, and could act as a jury, a judge and an advocate all at the same time, I would sentence Mr. Hannon to silence for the rest of this session, and I hope and believe—

QUESTION OF INQUIRY

Mr. HARE. Mr. Speaker, I rise to a question of inquiry.

The SPEAKER. The gentleman from Somerset will state his question of inquiry.

Mr. HARE. Did the gentleman say Hannon or Levy?

Mr. LEVY. Mr. Speaker, the gentleman distinctly said Hannon. That does not sound like Levy.

Mr. DIX. And I would say further, Mr. Speaker, that not having received any fee from the gentleman from Allegheny for defending him that—

The SPEAKER. Possibly the Chair should move the previous question.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook.
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 815, entitled as follows:

An Act to amend sections one and two of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" further extending the property and contractual rights of married women

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the eighth day of June one thousand eight hundred ninety-three (P. L. 344) entitled "An act relating to husband and wife enlarging her capacity to acquire and dispose of property to sue and be sued and to make a last will and enabling them to sue and to testify against each other in certain cases" are hereby amended to read as follows

Section 1 Be it enacted &c That hereafter a married woman shall have the same right and power as an unmarried person to acquire own possess control use lease sell or otherwise dispose of any property of any kind real personal or mixed and either in possession or expectancy and may exercise the said right and powers in the same manner and to the same extent as an unmarried person but she may not [mortgage or] convey her real property unless her husband join in such [mortgage or] conveyance

Section 2 Hereafter a married woman may in the same manner and to the same extent as an unmarried person make any contract in writing or otherwise which is necessary appropriate convenient or advantageous to the exercise or enjoyment of the rights and powers granted by the foregoing section but [she may not become accommodation endorser maker guarantor or surety for another and] she may not execute or acknowledge a deed or other written instrument conveying [or mortgaging] her real property unless her husband join in such [mortgage or] conveyance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—145

Alspach,
Auker,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brown,
Brunner, C. H.,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Gross,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Swope,
Tahl,
Taylor,

Cadwalader,
Calvin,
Campbell,
Cohen,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Gyger,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Heatherington,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Moore,
Moran,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Pettit,
Powers,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Thompson,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—51

Baker,
Barrett,
Boory,
Brigerman,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Coleman,
Corrigan,
Dillon,
Duffy,
Elliott,
Finnerty,
Flynn,
Green,
Harris,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Irvin,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Mooney,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Polaski,
Reese, R. E.,
Regan,
Reynolds,
Rose, S.
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Tate,
Trent,
Verona,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 886, as follows:

An Act to amend section one thousand one hundred twenty section one thousand one hundred twenty-eight as amended and section one thousand one hundred thirty-nine of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the appointment of substitute and acting county superintendents of schools substitute assistant county superintendents of schools subtitute supervisors of special education and substitute and acting district superintendent of schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred twenty of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows:

Section 1120 [Any vacancy in the office of county superintendent by reason of death removal or otherwise shall be filled for the unexpired term by the Superintendent of Public Instruction after careful consideration of any recommendations concerning it from the officers of the proper county school directors' association made within ten days after the vacancy occurs] Any vacancy in the office of county superintendent by reason of death removal or otherwise shall be filled temporarily by an acting superintendent who shall be appointed by the county board of school directors to serve until the Superintendent of Public Instruction after careful consideration of any recommendations made by the county board of school directors within ten days after the vacancy occurs fills the vacancy by appointing a county superintendent for the unexpired term

In like manner the Superintendent of Public Instruction shall designate an assistant county superintendent or appoint a substitute to act as county superintendent during any period of time for which a leave of absence is granted to the county superintendent

Section 2 Section one thousand one hundred twenty-eight of said act as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2592) is hereby further amended to read as follows

Section 1128 Any vacancy occurring in the position of assistant county superintendent or supervisor of special education shall be filled by the county superintendent and the county board of school directors in like manner as at the beginning of a term Any substitute required as the result of the granting of any leave of absence to any assistant county superintendent or supervisor of special education shall be chosen in like manner

Section 3 Section one thousand one hundred thirty-nine of said act is hereby amended to read as follows

Section 1139 Any vacancy in the position of district superintendent or assistant district superintendent shall be filled by the board of school directors for the remainder of the term

Whenever a board of school directors finds it impossible or impracticable to fill immediately any vacancy occurring in the position of district superintendent or assistant district superintendent the board may appoint an acting district superintendent or an acting assistant district superintendent to serve not longer than one year from the time of his appointment

When a leave of absence has been granted to any district superintendent or assistant district superintendent and it is deemed necessary or desirable the board of school directors may appoint a substitute district superintendent or assistant district superintendent to serve for such period of time as the regular district superintendent or assistant district superintendent is absent on leave

Section 4 Any appointments heretofore made of a substitute or acting county superintendent assistant county superintendent supervisor of special education district superintendent or assistant district superintendent to a vacancy which was created as a result of a death removal or for any other reason are hereby ratified confirmed and made valid

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker
Barrett,
Flack,
Fleming,
Flynn,
Foor,
Laughner,
Lee,
Leisey,
Leonard,
Robertson,
Root,
Rose, S.,
Rose, W. E.,

Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 993, as follows:

An Act to amend clause (g) of section two hundred four of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by providing that the exemption from local taxation afforded to certain public property shall not extend to property otherwise taxable which is owned or held by an agency of the Government of the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (g) of section two hundred four of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" is hereby amended to read as follows

Section 204 Exemptions from Taxation The following property shall be exempt from all county city borough town township road poor and school tax to wit

* * * * *

(g) All other public property used for public purposes with the ground thereto annexed and necessary for the occupancy and enjoyment of the same but this shall not be construed to include property otherwise taxable which is owned or held by an agency of the Government of the United States

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 398, as follows:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same and validating collections and proceedings for collections made or commenced without previous authority

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all cases in which the period of limitation of the warrants of the duplicates of the county poor institution district road city township ward school and borough tax collectors have expired or will expire during the years one thousand nine hundred forty-three and one thousand nine hundred forty-four and in cases where the power and authority of the said tax collectors have heretofore expired or shall expire during the years one thousand nine hundred forty-three and one thousand nine hundred forty-four by virtue of the expiration of their terms of office and said tax collector or collectors have or shall become personally liable for the taxes contained in said duplicates and warrants or any part thereof by reason of the personal payment or otherwise by said tax collector or collectors of the said taxes or any part thereof without having recovered or collected the same from the person or persons against whom they have been levied and assessed or without having recovered or collected the same from the person or persons owning the property against which the said taxes have been assessed and levied the said duplicates and warrants and the power and authority of the said tax collectors in all such cases are hereby revived and extended as of the effective date of this act and the said tax collector or collectors their executors and administrators if they are deceased or either surety or sureties are hereby empowered to proceed and collect said taxes from all such persons who have not paid them residing in said district within which said taxes are assessed as well as from all persons who may remove or have removed from said city ward township or townships or boroughs and have neglected to pay the taxes aforesad assessed with the like effect as if said warrant or warrants had not expired or the term of office of said tax collector had not expired

Section 2 The collection heretofore of any tax and all proceedings by distress or otherwise for the collection of any tax heretofore commenced are hereby ratified confirmed and made valid notwithstanding the fact that at the time of such collection or the commencement of such proceedings the period of limitation of the warrants of the duplicates of the tax collector had expired or the power and authority of the tax collector had expired by virtue of the expiration of his term of office and such duplicates and warrants and the power and authority of the tax collector had not at such time been revived and extended with like effect as though the same had in fact been so revived and extended

Section 3 The provisions of this act shall not apply to warrants issued prior to the year one thousand eight hundred and ninety-four and nothing in this act shall release any bondsman or security This act shall not apply to cities having special laws on this subject No collector or the sureties thereof who take advantage of this act shall be permitted to plead the statute of limitations in any action brought to recover the amount of any duplicate or warrant so extended or renewed No statute of limitations shall prevent the collection of any tax for which the warrants and powers and authorities of the said tax collectors have been so as aforesaid extended renewed and revived

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 399, as follows:

An Act regulating tax collectors' warrants hereafter issued with tax duplicates authorizing the collection of taxes for which the tax collectors have become personally liable after the final settlement of the tax duplicates and after the expiration of their terms of office

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In all cases where warrants of tax duplicates shall hereafter be issued to the collectors of county poor institution district city township school and borough taxes such warrants shall be without any time limit Provided however That after final settlement of the said duplicates such warrants shall be effective only for the collection of such taxes contained in the said warrants and duplicates for which the collectors of such taxes shall have become personally liable by reason of the personal payment or otherwise by said tax collectors without having recovered or collected the same from the person or persons against whom they have been levied and assessed or without having recovered or collected the same from the person or persons owning the property against which the said taxes have been assessed and levied and the said duplicates and warrants and the power and anthority of the said tax collectors in all such cases are hereby extended for such purpose and the said tax collectors their executors and administrators if they shall be deceased or either surety or sureties are hereby empowered to proceed and collect said taxes for which they have become liable from all such persons residing in the taxing district who have not paid them as well as from all persons who may have removed from said city township borough or school district and have neglected to pay the taxes aforesaid assessed with the like effect as if final settlement of such duplicates had not been made or the term of office of said tax collector had not expired

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa.
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard.
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak.
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 361, as follows:

An Act to amend section six hundred fifteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the requirement for approval of repairs of school buildings in districts of the third and fourth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred fifteen of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the eighth day of July one thousand nine hundred forty-one (P. L. 287) is hereby further amended to read as follows

Section 615 After the organization of the State Council of Education provided for in this act no public school buildings shall be contracted for constructed or reconstructed in any school district of the second third or fourth class until their plans and specifications have been submitted to the State Council of Education and any recommendations concerning the same by the State Council of Education have been laid before the board of school directors Provided however That where ordinary repairs are proposed such as plastering painting replacement of floors improvement of school grounds repairing or providing walks roadways or retaining walls the cost of which in districts of the second class will not exceed one thousand dollars ($1,000) or in districts of the third and fourth class will not exceed [one hundred dollars ($100)] five hundred dollars ($500) no submission of plans for such repairs to the State Council of Education shall be required Where any structural change is involvedd such as moving or adding doors windows partitions making additions or any excavations approval of the State Council of Education shall be required regardless of the cost of such structural change

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Livingstone,
Lichtenwalter,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 735, as follows:

An Act to amend sections eleven and seventeen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" further regulating appeals from assessments and exonerations and refunds of taxes effected thereby validating appeals heretofore taken and imposing additional duties upon the said board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections eleven and seventeen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" are hereby amended to read as follows

Section 11 When the triennial assessments shall be fixed either for the whole county or in districts thereof notice of that fact shall be given by publication in at least two newspapers of general circulation in the county of the time when appeals will be heard and a copy of the assessments made in boroughs and townships shall be placed in some public place in each such borough or township by the assessor The board shall adopt rules and regulations governing the right to and the holding of appeals and the practice and procedure thereat Such rules and regulations shall [become effective only after public notice thereof as herein required in the case of] be published together with the notices of triennial assessments as above provided

The board shall provide simple appeal forms which shall contain simple questions clearly expressed which will require answers having a direct bearing on the true value of the property as of the period for which such assessment was made No other type of questions shall be contained thereon

In the year one thousand nine hundred forty-three the board shall permit appeals to be taken from assessments up to and including June first and no later including all those where the 1943 taxes have been paid in whole or in part In subsequent years no appeals may be taken from assessments of properties within cities of the second class after November fifteenth of the year preceding the period for which the assessment becomes effective and for all other assessments no appeal shall be taken after the last day of February of the year in which the assessment first becomes effective All appeals filed with the board prior to this amendment shall be valid if otherwise in accordance with existing law At all appeal hearings the property owner or his agent appearing for him shall have the right to be represented by counsel and to be accompanied by witnesses or assistants

After the hearing of appeals the board shall take such action in regard thereto as may be right and proper and shall within ten (10) days thereafter complete such action and make their determinations and immediately give due notice to the appellant by registered mail

Section 17 No appeal taken from any such assessments shall affect the validity of any taxes assessed but if such assessment shall thereafter be reduced an exoneration shall be granted [or restitution ordered for the excess of taxes paid by reason of any improper increase in the assessment] for the proper amount to equalize such reduction if the taxes based upon such assessment have not been paid and if the taxes based upon such assessment have been paid the excess taxes collected shall be refunded to the person having made such payment Such refunds shall be made within thirty (30) days after the tax levying authorities have been notified by mail of the reduction made in the assessment by the board or by the court

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 488, as follows:

An Act authorizing the Secretary of Highways at the request of and under agreement with the Public Roads Administration of the United States to lay out establish construct and maintain flight strips and roads to the sites of war activities or to replace roads or streets which have been closed by defense or military activities and to condemn property for such purposes authorizing a width of two hundred feet for such roads in certain cases and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 To facilitate the war effort the Secretary of Highways upon request of the Commissioner of Public Roads of the United States is hereby authorized to cooperate with the Public Roads Administration of the United States in the making of surveys plans specifications and estimates for and in the construction and maintenance of flight strips and for the construction relation widening or maintenance of roads and streets leading to or serving military and naval reservations or defense industries and defense industry sites or sources of raw materials and for the replacing of existing public roads which have been or may be closed to public use at military and naval reservations and defense industry sites and to enter into agreements with the Public Roads Administration for the payment of the costs of engineering supervision construction maintenance and property damages whether such costs are paid in whole from Federal funds and in part from funds provided by the Commonwealth or any of its political subdivisions

Section 2 The Secretary of Highways with the approval of the Governor is hereby authorized to establish the widths of such roads and streets or bridges which form a part thereof in excess of the width now provided by law but not to exceed two hundred feet when requested so to do by the Public Roads Administration

Section 3 Whenever a proper and duly approved agreement has been entered into between the Secretary of Highways and the Public Roads Administration the Secretary of Highways may lay out establish or widen such roads to such width not exceeding the maximum herein provided as he may deem advisable and may also lay out and establish flight strips to such width and at such locations as deemed advisable by the Public Roads Administration

Section 4 The condemnation of property for the establishment of such flight strips and for the establishing widening and relocating of such roads by the Secretary of Highways as herein provided shall be done by the preparation approval and filing of a plan and property damages shall be determined and paid in the same manner which is now or may be in force for the relocation of State highways in townships regardless of whether or not a State highway is involved Provided however that the Department of Highways shall be fully reimbursed by the Public Roads Administration for such costs and expenditures as it may incur or make where no State highway is involved and provided further that the cost of removal and relocation of any structures of public utilities in place within such flight strips at the time of their taking shall be paid by the Department of Highways from the funds furnished by the Public Roads Administration Where a State highway is involved such reimbursement shall be in accordance with the terms of the agreement entered into as herein provided except that the Department of Highways shall bear no portion of the property damages occasioned by the laying out and establishing of such roads or flight strips in cities

Section 5 The Secretary of Highways in his discretion may agree with the Public Roads Administration that roads or streets constructed as herein provided which are not on the State Highway System as well as flight strips shall be maintained by the Department of Highways provided however that the Department of Highways shall be reimbursed by the Public Roads Administration or proper Federal Agency for all expenditures thus made

Section 6 The term "flight strip" as used in this act shall mean a parcel of land suitable or adaptable for the operation of aircraft thereon or therefrom either with or without grading paving or other air-transport facilities

Section 7 So much of the money in the Motor License Fund from time to time as may be necessary is hereby specifically appropriated to the Department of Highways for carrying out the provisions of this act

Section 8 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 315, entitled:

An Act prescribing certain fire and panic precautions to be observed in buildings occupied by night clubs or similar establishments imposing certain additional duties upon fire marshals, and other officials in the various political subdivisions throughout the Commonwealth; and providing penalties.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED

Mr. TAHL. Mr. Speaker, I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. HEATHERINGTON. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Tahl.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. TAHL. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, under this bill, it makes the fire marshal, all fire chiefs, assistant fire chiefs, captains, first lieutenants, second and third lieutenants in the fire department and all peace officers the arresting officers, is that right?

Mr. TAHL. That is right, Mr. Speaker, but the purpose of my wanting to put this bill on the postponed calendar is that I have had some objection to that provision, and my intention is to amend it. I will be very glad to discuss the matter with the gentleman after this session is over.

Mr. HEATHERINGTON. Mr. Speaker, will the gentleman admit that this is a bad bill?

Mr. TAHL. No, on the contrary, Mr. Speaker, it is a very good one.

The SPEAKER. The merits of the bill may not be discussed at this time. The question before the House is on the motion to postpone, and the gentleman should confine their remarks to that question.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the ayes appear to have it.

Whereupon, a division was called for, one hundred seventeen Members voting in the affirmative and fifteen in the negative, the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 86, as follows:

An Act authorizing certain organizations with permission of the court of quarter sessions to conduct bingo games and award prizes to the winners fixing fees and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Upon the payment of a permit fee as hereinafter provided any fraternal or beneficial organization incorporated under the laws of the Commonwealth any religious organization labor union company or organization of volunteer firemen athletic association improvement association playground association band orchestra musical organization post branch camp of any National organization of United States War Veterans or any charitable institution or agency required by existing law to file reports with the Department of Welfare or with any other department or office of the Commonwealth may upon petition secure from the court of quarter sessions of the county wherein such organization is located at the discretion of the court a permit authorizing it to conduct or operate bingo games at a fixed place within the said county for the purpose of raising funds for the use of such organization Each such permit shall be effective for the calendar year in which issued and shall authorize the charging of a fee for the privilege of playing said games and the giving winning and awarding of prizes of goods and other valuables to any by the winners in such games

Section 2 The fees for permits under the provisions of this act shall be graduated according to the political subdivisions in which the permit is effective as follows

In cities of the first and second classes fifty dollars ($50.00)

In cities of the third class twenty-five dollars ($25.00)
In townships of the first class fifteen dollars ($15.00)
In boroughs and incorporated towns ten dollars ($10.00)
In townships of the second class five dollars ($5.00)

The permit fees authorized under this act shall be collected by the clerk of the court for the use of the political subdivision in which such permit is to be effective and all such moneys so collected shall be paid to the political subdivision thereto monthly

The clerk of the court shall be entitled to a fee of one dollar ($1.00) for each such permit issued to be paid by the person to whom the permit is issued

Section 3 It is unlawful for any organization holding a permit as herein provided or any agent or employe thereof to pay any portion of the proceeds received by reason of any such games to or for the use of any individual as compensation for promoting organizing or conducting such games

Section 4 If the organization or person is convicted in a summary proceeding of violating the provisions of section three such person or organization shall be sentenced to pay a fine of one hundred dollars ($100.00) or undergo imprisonment for not more than thirty (30) days or both and the permit of the organization holding such games shall thereupon be void and of no effect

Section 5 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 6 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TIEMANN. Mr. Speaker, I rise to ask support of this bill. Last evening, when Mr. Huntley was discussing the bill, he said it was a good bill and a good home rule bill, and I merely want to emphasize that today. In talking to some of the Members I find considerable support for the bill, but I also find some opposition to the bill with the intimation that it is gambling. Gentlemen, I wouldn't call bingo gambling in the sense that they imply, because nothing can be lost by those who play. The objection to gambling is not that some win, but that some lose money that could be applied to better purposes, such as living costs and expenses for one's family. This complaint can not be made against bingo as the maximum for an evening is limited to the cost of admission plus a small charge in some cases, in all not more than fifty cents or probably a dollar for an evening's entertainment or pleasure, no more than the price of a good moving picture show. With gasoline restrictions holding our people closer to their homes and their churches, this bill will legalize the practice of playing bingo which has been going on regardless of the law for some time. This bill will put the game under proper supervision and control, eliminating rackets. Give our people what they want, a chance to relax and enjoy themselves in their own pleasant way. Respond to their wishes and vote for this bill giving them the privilege and pleasure of enjoying the game.

I am grateful for the attention and consideration you have shown me, and I will appreciate your support.

Mr. GATES. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Tiemann.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. TIEMANN. I shall, Mr. Speaker.

Mr. GATES. I would like to know if in the opinion of the sponsor of this bill it permits bingo to be played on the Sabbath day?

Mr. TIEMANN. Mr. Speaker, in answer to the gentleman from Armstrong, the bill does not specifically state, but it does not repeal the Sunday law, and I am of the opinion that the courts would not permit the playing of bingo on Sunday.

Mr. GATES. I thank the gentleman, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—133

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Boorse,
Boory,
Boyd,
Bradley,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dillon,
Duffy,
Erb,
Ewing,
Figlock,
Finnerty,
Fleming,
Flynn,
Garber,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Haberlen,
Hamilton,
Hannon,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Hunter, W. M.,
Irvin,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Maxwell,
McAtee,
McSurdy,
Menna,
Mihm,
Mintess,
Mock,
Modell,
Mooney,
Moran,
Moser,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Polaski,
Powers,
Readinger,
Reese, D. P.,
Regan,
Reynolds,
Robertson,
Root,
Rose, S.
Royer,
Salus,
Sarraf,
Scanlon,
Schuster,
Skale,
Sorg,
Stank,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Verona,
Wachhaus,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Wright,
Fiss,
Speaker.

NAYS—45

Bonawitz,
Bower,
Calvin,
Dennison,
Dix,
Elder,
Elliott,
Foor,
Fox,
Freed,
Fullerton,
Goodling,
Hall,
Hare,
Harris,
Hewitt,
Hocke,
Hoggard,
Hoopes,
Imbrie,
Jones,
Kennedy,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
Miller,
Moore,
Muir,
Pettit,
Reese, R. E.,
Reilly,
Riley,
Rowley,
Serrill,
Simons,
Smith,
Sollenberger,
Stockham,
Turbett,
Van Allsburg,
Wagner, K. H.,
Wagner, P. L.,
Worley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 634, as follows:

An Act to further amend sections seven hundred three seven hundred four and nine hundred and three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing annual registration fees and temporarily changing the gross weight of certain commercial motor vehicles and truck tractors

The General Assembly of the Comwonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections seven hundred three and seven hundred and four of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring power and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns township within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) are hereby further amended to read as follows

Section 703 Commercial Motor Vehicles and Truck Tractors with Pneumatic Tires Commercial motor vehicles and truck tractors with pneumatic tires other than those electrically operated shall be divided into eight (8) classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows

Four-Wheeled

Class	Chassis Weight in Pounds	Fee
R	Less than 2000	$16.50
S	2000 and over but less than 3000	26.00
T	3000 and over but less than 4000	35.00
U	4000 and over but less than 5000	45.00
V	5000 and over but less than 6000 [63.00]	70.00
W	6000 and over but less than 7500 [90.00]	96.00
Y	7500 and over but less than 9000 [110.00]	120.00
Z	9000 and over [155.00]	175.00

Six-Wheeled (3 Axles)

Class	Chassis Weight in Pounds	Fee
RZ	2000 and over but less than 3000	$40.00
SZ	3000 and over but less than 4000	50.00
TZ	4000 and over but less than 5000	60.00
UZ	5000 and over but less than 6000 [90.00]	98.00
VZ	6000 and over but less than 7500 [155.00]	168.00
WZ	7500 and over but less than 9000 [175.00]	186.00
YZ	9000 and over but less than 12000 [200.00]	215.00
ZZ	12000 and over [225.00]	250.00

Section 704 Commercial Motor Vehicles and Truck Tractors with Solid Rubber or Cushion Rubber Tires Commercial motor vehicles and truck tractors with solid rubber or cushion rubber tires approved by the Secretary of Highways of this Commonwealth other than those electrically operated shall be divided into eight (8) classes and the fee for the annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows

Four-Wheeled

(Solid Rubber Tires)

Class	Chassis Weight in Pounds	Fee
R	Less than 2000	$28.00
S	2000 and over but less than 3000	45.00
T	3000 and over but less than 4000	60.00
U	4000 and over but less than 5000	75.00
V	5000 and over but less than 6000 [105.00]	120.00
W	6000 and over but less than 7500 [150.00]	160.00
Y	7500 and over but less than 9000 [190.00]	204.00
Z	9000 and over [300.00]	315.00

Six-Wheeled (3 Axles)

(Solid Rubber Tires)

Class	Chassis Weight in Pounds	Fee
RZ	2000 and over but less than 3000	$65.00
SZ	3000 and over but less than 4000	75.00
TZ	4000 and over but less than 5000	90.00
UZ	5000 and over but less than 6000 [150.00]	158.00
VZ	6000 and over but less than 7500 [275.00]	288.00
WZ	7500 and over but less than 9000 [300.00]	311.00
YZ	9000 and over but less than 12000 [325.00]	340.00
ZZ	12000 and over [350.00]	375.00

Four-Wheeled

(Cushion Rubber Tires)

Class	Chassis Weight in Pounds	Fee
R	Less than 2000	$25.00
S	2000 and over but less than 3000	35.00
T	3000 and over but less than 4000	50.00
U	4000 and over but less than 5000	60.00
V	5000 and over but less than 6000 [85.00]	92.00
W	6000 and over but less than 7500 [125.00]	124.00
Y	7500 and over but less than 9000 [150.00]	156.00
Z	9000 and over [200.00]	228.00

Six-Wheeled (3 Axles)

(Cushion Rubber Tires)

Class	Chassis Weight in Pounds	Fee
RZ	2000 and over but less than 3000	$55.00
SZ	3000 and over but less than 4000	65.00
TZ	4000 and over but less than 5000	70.00
UZ	5000 and over but less than 6000 [125.00]	133.00
VZ	6000 and over but less than 7500 [200.00]	213.00
WZ	7500 and over but less than 9000 [225.00]	236.00
YZ	9000 and over but less than 12000 [250.00]	265.00
ZZ	12000 and over [275.00]	300.00

Section 2 Section nine hundred three of said act as last amended by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 751) the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) and the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended by adding immediately after

subsection (i) thereof a new subsection to read as follows

Section 903 Weight of Vehicles and Loads

(j) Nothwithstanding any of the foregoing provisions of this section the permitted gross weights of the following types of vehicles hereinbefore provided for shall be as follows during the continuance of the war in which the United States is now engaged and until the end of the next session of the General Assembly to convene after the cessation of hostilities

(1) Four-Wheeled (2 Axles) Class V Chassis Weight 5000 lbs and over but less than 6000 lbs Gross weight 19000 lbs

(2) Four-Wheeled (2 Axles) Class W Chassis Weight 6000 lbs and over but less than 7500 lbs Maximum Gross Weight 23,000 lbs

(3) Four-Wheeled (2 Axles) Class Y Chassis Weight 7500 lbs and over but less than 9000 lbs Maximum Gross Weight 27000 lbs

(4) Four-Wheeled (2 Axles) Class Z Chassis Weight 9000 lbs and over Maximum Gross Weight 30,000 lbs

(5) Six-Wheeled (3 Axles) Class UZ Chassis Weight 5000 lbs and over but less than 6000 lbs Maximum Gross Weight 24,000 lbs

(6) Six-Wheeled (3 Axles) Class VZ Chassis Weight 6000 lbs and over but less than 7500 lbs Maximum Gross Weight 28,000 lbs

(7) Six-Wheeled (3 Axles) Class WZ Chassis Weight 7500 lbs and over but less than 9000 lbs Maximum Gross Weight 32,000 lbs

(8) Six-Wheeled (3 Axles) Class YZ Chassis Weight 9000 lbs and over but less than 12,000 lbs Maximum Gross Weight 36,000 lbs

(9) Six-Wheeled (3 Axles) Class ZZ Chassis Weight 12,000 lbs and over Maximum Gross Weight 40,000 lbs

(10) Two-Wheeled Vehicles Maximum Gross Weight 20,000 lbs

(11) Four-Wheeled Vehicles Maximum Gross Weight 30,000 lbs Maximum Gross Weight on any Axle 20,000 lbs

(12) Six or more Wheeled Vehicles Maximum Gross Weight 40,000 lbs Maximum Gross Weight on any one of the rear Axles 18,000 lbs

(13) Truck tractor and semi-trailer combined Maximum Gross Weight 45,000 lbs Maximum Gross Weight on any Axle 20,000 lbs

Penalty Any person operating any vehicle upon any highway with a gross weight exceeding by more than five (5) per centum the maximum gross weight allowed and not exceeding by more than ten (10) per centum the maximum gross weight allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle on any highway with a gross weight exceeding by more than ten (10) per centum the maximum gross weight allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 3 The provisions of section two of this act shall become effective immediately upon final enactment The provisions of section one of this act shall become effective on the first day of March one thousand nine hundred forty-four but shall apply only to annual registration fees for the registration year commencing April first one thousand nine hundred forty-four and each registration year thereafter.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BARTON. Mr. Speaker, when the amendments were inserted in these bills last night we were told they were practically the same as far as the nature of the trucks is concerned as the original bill. If you will read the bill as it read before, you will find there is no maximum gross weight for "R" "S" "T" and "U" trucks. This means that a "V" truck is limited to nineteen thousand pounds, but the "U" truck can haul thirty to forty thousand pounds. The same way with an "R" or an "S" or a "T". I think it is very poor legislation when we allow a "U" truck to haul all it wants and limit the "V" truck to nineteen thousand pounds.

Mr. GATES. Mr. Speaker, two years ago the Assembly of Pennsylvania passed a big truck bill very similar to the one before you today for your consideration. That bill eventually found its way to the Governor of Pennsylvania, and I would like to read into the record excerpts from the Governor's remarks when he vetoed that particular bill.

MR. SERRILL IN THE CHAIR

Mr. GATES. If the Chair desires instead of reading I will turn this over to the Reporters to expedite the time.

> "From information received from the Department of Highways, it is clear that the highways of this Commonwealth are not sufficiently strong to accommodate any increase in truck weight or axle loading. Pennsylvania has greater mileage of low cost improved rural highways than any other state, and at the present time such highways are being subjected to heavier trucks and loads than the capacity for which they were designed. Even the main highway system of approximately 20 years of age is less capable than it was 10 years ago of sustaining the impact from heavy trucks, because the mere lapse of time has an adverse effect upon concrete pavements.
>
> "I am informed that the Regional Conference on Highway Safety and Motor Vehicle Problems, in a report dated February 14th and 15th, 1941, made a study of the trucking problem as it related to 10 northeastern states, which resulted in the recommendation that the maximum weight per axle on any vehicle be fixed at 18,000 pounds. This bill would permit axle weight in excess of the amount so recommended.
>
> "Some proponents of this bill have urged its approval in order to accommodate larger sized vehicles which might become necessary by reason of the present national emergency. However, under Section 905, of the Vehicle Code the Secretary of Highways and the local authorities, in their respective jurisdictions, may now issue special permits for the operation of vehicles of a size and weight exceeding the maximum specified by law. That provision is adequate to take care of any contingency which might arise. Therefore, this bill would not be necessary for that purpose."

However, yesterday it was decided, and properly so, and I want to congratulate the sponsors of this bill for not having a flag waving, tail twisting bill that would try to make out of this particular bill a war measure. Gentlemen, the real reason and the real need back of this particular bill is to increase the size of the large trucks and the tractor trailers, which will eventually cost the taxpayers of Pennsylvania hundreds of millions of dollars.

I appeal to you for the sake of the thousands of farmers in the state of Pennsylvania to defeat this bill, for the reason that we have secondary highways that run into the farming communities over which the farmers are allowed to bring their produce into market, but if these large trucks, these extremely long and heavy trucks, are allowed to use the secondary highways, it will be but a short time until these roads are completely destroyed.

Then I appeal to you, Members of this House, in behalf of the million and a half car owners in the state of Pennsylvania and the small truck owners in the state of Pennsylvania who pay into the coffers of the state of Pennsylvania considerably more than $35,000,000 each biennium. I appeal to you in conclusion, gentlemen of this House, to vote against this bill, to save the roads for the purpose for which they were built, because I am satisfied that the Governor of the state of Pennsylvania could do nothing more than veto this bill if it reaches his desk.

Who elected Ed Martin governor of the state of Pennsylvania? It wasn't Philadelphia, it wasn't Allegheny County, it was the small rural communities in the state of Pennsylvania that marched to the polls that day and they elected him Governor of the state of Pennsylvania. So I appeal to you in behalf of the rural communities of the state of Pennsylvania to vote against this bill and save the roads for the purpose for which they were originally intended.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Forest for presiding.

Mr. AUKER. Mr. Speaker, I just want to reiterate the remarks made by the gentleman from Perry, Mr. Barton. I believe that every member of this House ought to turn to this bill and see for himself that the sections imposing restrictions on the weights of the licenses which he mentioned are deleted from the bill. It makes it a very, very vicious bill and to my mind unconstitutional. I think you should think well before you vote for this bill as it stands now.

Mr. MAXWELL. Mr. Speaker, I would like to interrogate the gentleman from Montgomery, Mr. Wood.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. LLOYD H. WOOD. I shall, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, could the gentleman tell me whether or not he contacted the Department of Highways in reference to this bill?

Mr. LLOYD H. WOOD. Mr. Speaker, I would like to ask the gentleman from Westmoreland, Mr. Maxwell, whether he means prior or subsequent to the emasculation?

Mr. MAXWELL. Mr. Speaker, I would like to know whether the gentleman contacted the Department of Highways at any time concerning this bill?

Mr. LLOYD H. WOOD. No, Mr. Speaker.

Mr. MAXWELL. I would like further to interrogate the gentleman, Mr. Speaker.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. LLOYD H. WOOD. I am very hungry, Mr. Speaker, but I could stand another question, I believe.

Mr. MAXWELL. Mr. Speaker, would the gentleman tell me what the opinion of the Secretary of Highways is concerning this bill?

Mr. LLOYD H. WOOD. Well now, Mr. Speaker, let me say that I cannot distinguish between the question that I answered and the one the gentleman just asked me. I stated "no" in reply to the question which in substance inquired as to whether or not I had undertaken to learn what the attitude of the Secretary of Highways might be on this bill. I have not been in touch with the Secretary of Highways, therefore, I cannot answer what his attitude may be.

Mr. MAXWELL. I thank the gentleman from Montgomery.

Mr. Speaker, I do not wish to take any more time than is necessary, but I do think the House should acquaint itself with some facts concerning this bill. In view of the fact that the Department of Highways is responsible for the maintenance and upkeep of our highways I think anyone who sponsors a bill should at least have the opinion of the Department or the Secretary of Highways on whether or not they think it will be a good bill or a bad bill.

In support of this bill I wish to read from the Governor's veto message, August 11, 1941, on a bill not nearly as vicious as this bill is, and I wish to give the Department of Highways' version of what a bill of this type would do. I quote:

> From information received from the Department of Highways, it is clear that the highways of this Commonwealth are not sufficiently strong to accommodate any increase in truck weights or axle loading. Pennsylvania has greater mileage of low cost improved rural highways than any other state, and at the present time such highways are being subjected to heavier trucks and loads than the capacity for which they were designed. Even the main highway system of approximately 20 years of age is less capable than it was 10 years ago of sustaining the impact from heavy trucks, because the mere lapse of time has an adverse effect upon concrete pavements.
>
> I am informed that the Regional Conference on Highway Safety and Motor Vehicles Problems, in a report dated February 14th and 15th, 1941, made a study of the trucking problem as it related to 10 northeastern states, which resulted in the recommendation that the maximum weight per axle on any vehicle be fixed at 18,000 pounds. This bill would permit axle weight in excess of the amount so recommended.
>
> Some proponents of this bill have urged its approval in order to accommodate larger sized vehicles which might become necessary by reason of the present national emergency. However, under Section 905 of the Vehicle Code the Secretary of Highways and the local authorities, in their respective jurisdictions, may now issue special permits for the operation of vehicles of a size and weight exceeding the maximum specified by law. That provision is adequate to take care of any contingency which might arise. Therefore, this bill would not be necessary for that purpose.

Gentlemen, in view of these facts, I do not think at this time that this bill should pass. The conditions now as far as our roads are concerned are more acute than at the time the former Governor vetoed a similiar bill, and therefore, I do not think the emergency is sufficient for the passing of this bill, and I would ask the Members to give their consideration before voting.

Mr. BROWN. Mr. Speaker, the gentleman from Perry, Mr. Barton, called my attention to an error in the draftsmanship of this bill. However, I believe the bracket could be easily removed in the Senate. I assured the House last night that the Legisltive Reference Bureau had only inserted these amendments making this a duration bill, and that was my understanding. If the House will recall, later in order to insert the amendments, we had to remove the brackets from practically every page in the bill. I do not think it is serious; I think the brackets can be easily stricken out in the Senate, and it will save us the cost of printing this bill again. I want to assure you absolutely that this was an error in printing the bill, and it was not the intention to do anything to the bill except what I said last night.

Mr. GATES. Mr. Speaker, I am terribly sorry to hold up the dinner hour, but nevertheless, I think this bill is of such importance that we should spend an additional five minutes.

I want to call to the attention to the membership of this House that in June 1942 the Governors of forty-eight states met in Washington, D. C., with the Secretary of Commerce, and they agreed one hundred per cent that the specifications of trucks which were necessary should not exceed the weight upon a single axle of over eighteen thousand pounds.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Auker, Gates, and Pettit requested a verification of the roll.

The roll was verified and was as follows:

YEAS—124

Alspach,
Baker,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Cook,
Cooper,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Denman,
Dennison,
Dillon,
Elder,
Elliott,
Ely,
Ewing,
Finnerty,
Flack,
Flynn,
Fox,
Freed,
Fullerton,
Gillan,
Goodling,
Gorman,
Green,
Greenwood,
Haberlen,
Hannon,
Hare,
Harris,
Haudenshield,
Herman,
Hersch,
Hocke,
Hoggard,
Hunter, W. M.,
Irvin,
Kennedy,
Kirley,
Kolankiewicz,
Kowalski,
Krepps,
Laughner,
Leonard,
Levy,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moser,
Muir,
Murray,
Nowak,
O'Brien,
Owens,
Petrosky,
Powers,
Readinger,
Reynolds,
Riley,
Root,
Rose, S.,
Rowley,
Royer,
Salus,
Sarraf,
Scanlon,
Serrill,
Skale,
Snider,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Van Allsburg,
Verona,
Wachhaus,
Wallin,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Wright,
Yeakel,
Fiss,
Speaker.

NAYS—62

Auker,
Barrett,
Barton,
Boyd,
Cadwalader,
Goodwin,
Gross,
Hall,
Hamilton,
Heatherington,
Leydic,
Lyons,
Madigan,
Mahany,
Maxwell,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Robertson,
Coleman,
Cordier,
Dague,
Dalrymple,
Dix,
Duffy,
Erb,
Fleming,
Foor,
Garber,
Gates,
Hewitt,
Holmes,
Hoopes,
Hunter, B. F.,
Imbrie,
Jones,
Kitchen,
Kline,
Krise,
Lane,
Leisey,
McAtee,
McClester,
Moore,
Moran,
Munley,
O'Connor,
O'Dare,
O'Neill,
Pettit,
Polaski,
Rose, W. E.,
Schuster,
Smith,
Sollenberger,
Taylor,
Turbett,
Wagner, P. L.,
Weiss,
Worley,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

CONGRATULATORY RESOLUTION

Messrs. HOCKE and GOODLING offered a privileged resolution which was twice read, considered and unanimously adopted as follows:

In the House of Representatives, April 6, 1943.

Thirty-two years ago today a new member of this House celebrated his first birthday as an Assembleyman. He was the youngest member to sit as a lawmaker during the Session of 1911. This down-chinned youth represented the second district of his native County of York. Long before the completion of his second term, he had attracted to himself a host of friends, and an enviable reputation as an aggressive and successful legislator.

He now serves the General Assembly again, but in a different capacity. As Director of the Legislative Reference Bureau, the one time youngest member of the House is now as effectively carrying on the tradition of amiability, capacity and efficiency which he built for himself over a quarter of a century ago. He is today celebrating his sixtieth birthday; and in doing so, is still a young man at heart, in keenness of mind and in bodily vigor, with the added wisdom and usefulness that years of experience alone can bring; therefore be it

Resolved, by the Members of the House that we extend to our former Member and present Reference Bureau Director, the Honorable Robert S. Frey, our warmest and heartiest congratulations upon this the 60th anniversary of his natal day, wish for him many more happy returns of the same, and hope that they will often be celebrated here with us, and that as his days grow longer, the visions of his youth will draw ever closer to complete fulfillment; and be it further

Resolved, That as a lasting souvenir of this particular birthday, a copy of this resolution shall be prepared and transmitted to "Bob" Frey, our friend and counsellor, by the Chief Clerk of this House.

The SPEAKER. The Chair presents to the House our good friend always, Bob Frey, Director of the Legislative Reference Bureau.

Mr. FREY. Mr. Speaker and gentlemen of the House. I was called over here about three quarters of an hour ago to draft amendments, and I certainly walked into this like a lamb to the slaughter.

I have been against these personal resolutions for a long time because I have to write so many of them myself, but now I feel that it is not so bad after all.

Nineteen hundred eleven was a long time ago, and I might tell a lot of stories in connection with it, but if the Members of the House feel like I do they would rather be headed for some place to eat.

I appreciate the resolution and I appreciate the spirit back of it. I hope it is all true. Possibly I can say more to you later. I thank every one of you.

CONGRATULATORY RESOLUTION

Mr. GORMAN offered a privileged resolution which was twice read, considered and adopted as follows:

In the House of Representatives, April 6, 1943.

Birthdays come and birthdays go, and we like to note them as they pass, especially when the natal day is that of a fellow member of this House.

On the sixth of April, 1890, was born the baby who later grew up and now occupies high office as the encumbent of seat number 46 in the great hall of Pennsylvania's House of Representatives.

Our friend and colleague, the gentleman from the tenth district of Philadelphia, not only was born on April sixth, but also was married on that day, which makes it a double anniversary. He married Miss Marian Yates in 1911. Both husband and wife are registered pharmacists, and operate a retail drug store in Philadelphia.

As diversions from long and busy hours of shop, John Walton is a Shriner and an ardent Kiwanian. His interest in the Kiwanis Club he brings with him, and exercises as a member of the Kiwanis Club of the House of Representatives. But for complete relaxation the Waltons like travel best, and have already covered the greater part of the United States in their peregrinations; therefore be it

Resolved, That we hereby wish the Honorable John C. Walton a happy birthday and many more of them to come; and that we offer our sincerest congratulations and wishes for long continued happiness to the Honorable and Mrs. John C. Walton on the occasion of their 32nd wedding anniversary. May these birthdays and wedding anniversaries happen here often again, and always as most joyous occasions; and be it further

Resolved, That the Chief Clerk of the House certify a copy hereof and transmit the same to the Honorable John C. Walton and Mrs. Walton.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Walton.

Mr. WALTON. Mr. Speaker and gentlemen of the House, I appreciate the remarks very much, and as Marian is with me today I would like her to stand and take a bow.

PERMISSION TO ADDRESS HOUSE

Mr. MORAN asked and obtained unanimous consent to address the House.

Mr. Speaker, I desire to present a resolution coming from a group in the western part of our state, District No. 6, United Electrical Radio and Machine Workers of America. The resolution covers ten legislative points which we think are very progressive, and in the name of that organization those 50,000 members requested Mr. Heatherington and myself to present this resolution. Mr. Speaker, District No. 6 of the United Electrical Radio and Machine workers of America made the request that we present this resolution.

REPORT FROM COMMITTEE

Mr. SERRILL, from the Committee on Education, reported as amended, House Bill No. 711, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania; together with the provisions by which it shall be administered; and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the appointment of assistant county superintendents.

BILL RE-REFERRED

Mr. CADWALADER returned from the Committee on Counties with the recommendation that it be re-referred to the Committee on Military Affairs, House Bill No. 502, entitled:

An Act to amend sections two, three, four and five of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1206), entitled "An act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War; and providing for the use, upkeep, and management and control of such halls," by including Disabled American Veterans among the organizations named in the act.

The SPEAKER. The bill is re-referred to the Committee on Military Affairs.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 6, 1943.

Resolved, (if the House of Representatives concur), That Senate Bill No. 135, Printer's No. 51, entitled:

An Act to amend section seven hundred sixteen of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 440 TAKEN FROM TABLE

Mr. BROWN. Mr. Speaker, I move that House Bill No. 440, together with the message from the Senate which was laid on the table March 31, 1943, be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 440.

An Act to further amend section seven hundred two of the act approved the fifth day of May, one thousand nine hundred thirty-three, (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, at the beginning of line 10, by inserting after the syllable "bers" and before the word "entitled" the words "who are then present in person or by proxy and"; also same line by striking out the words "who are present."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,

Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 133

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 133, entitled:

An Act to further amend subsection (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground and to underground passageways gangways airways drifts slopes shafts overcasts and stoppings of mining operation

And has appointed Messrs. Letzler, Wade and Haluska a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MESSAGE AND BILL LAID ON TABLE

Mr. WALTER E. ROSE. Mr. Speaker, I move that the message from the Senate, together with the bill be laid on the table.

The motion was agreed to.

BILL ON SECOND READING

Mr. WALTON asked and obtained unanimous consent to call up House Bill No. 756, Printer's No. 299 on page 4 of today's calendar, bills on second reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 756, entitled:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "A supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strentgh and purity' requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" by adding to the qualification required of applicants for a pharmacy license

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 213.

An Act to further amend the third paragraph of section one thousand four hundred and thirteen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the provisions for the education of physically and mentally handicapped children.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETINGS

There will be meetings of the Committee on:

Aeronautics, Wednesday, April 7, at 12:30 p. m. Room 327.

Boroughs, Wednesday, April 7, at 10:30 a. m. Room 522.

Building and Loan, Wednesday, April 7, at 11:30 a. m. Room 330.

Cities—Second Class, Wednesday, April 7, at 11 a. m. Room 521.

Cities—Third Class, Wednesday, April 7, at 11 a. m. Room 324.

Constitutional Amendments, Wednesday, April 7, at 11:30 a. m. Room 325.

Counties, Wednesday, April 7, at 12 Noon. Room 522.

Education, Wednesday, April 7, at 11:30 a. m. Room 324.

Elections, Wednesday, April 7, at 12 Noon. Room 329.

Game, Wednesday, April 7, at 9:30 a. m. Room 333.

Highways, Wednesday, April 7, at 11 a. m. Room 329.

Judiciary General, Wednesday, April 7, at 12:50 p. m. Room 325.

Labor, Wednesday, April 7, at 10:30 a. m. Room 327.

Municipal Corporations, Tuesday, April 6, after session in Conference Room in the rear of the House.

Public Utilities, Wednesday, April 7, at 10:30 a. m. Room 323.

Workmen's Compensation, Wednesday, April 7, at 12 Noon. Room 330.

There will be a caucus of Democratic Members in the Old House Caucus Room on Wednesday, April 7, 1943, at 12 Noon.

ADJOURNMENT

Mr. TIEMANN. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 7, 1943, at 1 p. m.

The motion was agreed to, and (at 7:02 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., WEDNESDAY, APRIL 7, 1943. No. 38.

SENATE

WEDNESDAY, April 7, 1943.

The Senate met at 3:00 o'clock, p. m., Eastern War Time.

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D.D., offered the following prayer:

To the only God, our Savior, whose wisdom is infinite and whose love is measureless, we, knowing our need of wisdom and of love, turn to Thee and pray that Thou wilt supply us.

In the belief that Thou hearest the prayers of the sincere we enter upon the duties of the day.

We would thank Thee now for the opportunities given us to render helpful service to our nation in a time of crisis, and to our fellowmen, serving at home and abroad to preserve the nation. May our standards never have to be lowered—the standards of righteousness that exalt. If sacrifices are to be made may we have the grace to make them gladly as our contribution to the establishment and maintenance of liberty, fraternity and equality among the peoples of the earth.

Give to our leaders, civil, military and religious, of Thy wisdom, power and love, that our Nation and our State be conducted along the road that leads to victory and peace.

In the Name of the Victorious Christ. Amen.

JOURNAL APPROVED

The PRESIDENT PRO TEMPORE. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. THOMAS B. WILSON, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. ZIESENHEIM.

STATEMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDENT PRO TEMPORE. The Lieutenant-Governor has asked the Chair to announce that he is required to be out of the city on duties connected with his office.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 119, PRINTER'S No. 48

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 119, Printer's No. 48, entitled "An Act to further amend sections three hundred one and three hundred three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled as amended 'An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws' by further regulating the computation of the reserve liability of life insurance companies the issuance of life insurance policies and redefining deficiency reserve requirements."

EDWARD MARTIN.

NOMINATION BY THE GOVERNOR

He also presented communcation in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, R. Chapman Carver, Hartsville, Bucks County, for appointment as a member of the Delaware River Joint Toll Bridge Commission, until annulled, vice Clarence J. Buckman, deceased.

EDWARD MARTIN.

HOUSE MESSAGE

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

SENATE BILL No. 138, PRINTER'S No. 108 RECALLED FROM THE GOVERNOR

In the Senate of Pennsylvania, April 7, 1943.

Resolved (if the House of Representatives concurs), That Senate Bill No. 138, Printer's No. 108, entitled "An act to amend sections six hundred four, six hundred five and six hundred seven and to further amend section two thousand four hundred seven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further defining the duties of the Department of Internal Affairs," be recalled from the Governor for the purpose of further consideration.

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

MEMORIALIZING O. P. A. TO RAISE CEILING PRICE ON CRUDE OIL

In the Senate of Pennsylvania, March 1, 1943.

The oil reserves of the Nation are being used up faster than oil is being produced.

It has been stated by competent authority that there will be a serious shortage of oil in the future unless new wells are developed.

The development of new wells can be accelerated only by the raising of the present ceiling price on crude oil.

The present profit per well is now so low that there is no incentive for the assumption of the risk attendant upon the drilling of new wells; therefore be it

Resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania hereby memorialize the Office of Price Administration of the Federal Government to raise the ceiling price on crude oil so that there will be some prospect of profit held out to those who have oil land which could be developed, in order that the production of oil might be increased and the oil reserves of the country be raised, to normal levels; and be it further

Resolved, That a copy of this resolution shall be transmitted by the Chief Clerk of the House to the Office of Price Administration at Washington, D. C.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Charles H. Ealy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 71, entitled:

An Act to amend section three of the act approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 754), entitled "An act providing for the survey, construction, reconstruction, improvement, and maintenance of an Industrial State Highway between the cities of Chester and Philadelphia, and making the same a part of the system of State Highways; providing for the taking of certain roads and of certain private property therefor under the power of eminent domain, and the payment of damages by certain counties; and imposing certain powers and duties upon the Highway Commissioner and county commissioners," providing for ascertaining damages for the taking or private property and payment thereof in the same manner as provided by law in the case of State Highways.

House Bill No. 440, entitled:

An Act to further amend section seven hundred two of the act approved the fifth day of May, one thousand nine hundred thirty-five (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers, authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof.

House Bill No. 462, entitled:

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States, or from any women's organization officially connected therewith, without a learner's permit, examination, or additional fee, and the temporary suspension of existing laws requiring the same.

House Bill No. 533, entitled:

An Act to amend the title and Section 1 of, and to add Sections 2.1, 2.2, 2.3, and 2.4 to, the act, approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 496), entitled "An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands," providing that in counties of the seventh and eighth classes taxes on unseated lands shall be returned by the tax levying authorities to the county commissioners and collected by the county treasurer.

House Bill No. 644, entitled:

An Act to further amend sections five hundred and eleven and six hundred and ten of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "Tractor Code," authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery; and fixing fees therefor.

House Bill No. 688, entitled:

An Act authorizing political subdivisions to refund money erroneously or inadvertently paid by persons and corporations into the treasury thereof for municipal improvements or upon municipal assessments, liens whereof have been subsequently declared illegal and invalid.

Whereupon,

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the present of the Senate signed the same.

HOUSE MESSAGES

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 440

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 440, entitled:

An Act to further amend section seven hundred two of the act approved the fifth day of May, one thousand nine hundred thirty-five, (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the term and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers, authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 47, entitled:

An Act to amend section three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law," by abolishing the liability of grandchildren and grandparents of indigent persons to care for, maintain, or financially assist such persons.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 86, entitled:

An Act authorizing certain organizations to conduct bingo games and award prizes to the winners; requiring permits therefor from the Department of Revenue; fixing fees and providing penalties.

Which was committed to the Committee on Law and Order.

House Bill No. 92, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," changing and revising sections of said act relating to obstructing an officer in the execution of process, fornication and bastardy, lotteries, firearms, receiving stolen property, trespass on posted property, cheating by fraudulent pretenses burglary, attempt to commit arson, principals in the second degree and accessories, aiders and abettors; providing penalties for refusal to pay transportation fares; and repealing certain sections relating to larceny and certain existing acts.

Which was committed to the Committee on Judiciary General.

House Bill No. 112, entitled:

An Act authorizing the Armory Board of the State of Pennsylvania to construct and erect in the County of Dauphin, a memorial or monument in memory of the residents of Dauphin County who served in the forces of the United States during World War I, and making an appropriation.

Which was committed to the Committee on Appropriations.

House Bill No. 143, entitled:

An Act validating certain expenditures heretofore made by county commissioners in order to furnish filing cabinets or other office equipment to rationing boards.

Which was committed to the Committee on County Government.

House Bill No. 194, entitled:

An Act authorizing administrative boards within the Department of Public Instruction for the duration of the present War to admit to examination and grant licenses or registration to applicants who are less than twenty-one years of age but not less than eighteen years of age.

Which was committed to the Committee on Education.

House Bill No. 260, entitled:

An Act fixing the salary of the district attorney in counties of the eighth class

Which was committed to the Committee on County Government.

House Bill No. 288, entitled:

An Act to amend the act approved the eighth day of May one thousand eight hundred seventy-six (P. L. 136) entitled "A supplement to an act approved the thirteenth of May Anno Domini one thousand eight hundred and seventy-four fixing the pay of road commissioners road and bridge viewers and reviewers and commissioners to run township lines and to divide boroughs into wards and township lines and surveyors in this commonwealth" by changing the compensation of chain carriers at surveys of road views township divisions and township lines and the method of fixing the same

Which was committed to the Committee on County Government.

House Bill No. 316, entitled:

An Act to add section six hundred ninety-nine and seven tenths to the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," making it unlawful to capture, take or have in one's possession lobsters under a certain size.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 361, entitled:

An Act to amend section six hundred fifteen of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," as last amended by the Act of July eight, one thousand nine hundred forty-one (P. L. 287), by changing the requirement for approval of emergency reconstruction and repairs of school buildings.

Which was committed to the Committee on Education.

House Bill No. 398, entitled:

An Act enabling city, county, poor, institution district, ward, school, borough, and township tax collectors, their executors and administrators, if they are deceased, or either surety or sureties to collect taxes for the payment of which they have become personally liable, without having collected the same, by the expiration of the authority of their respective warrants or by the expiration of their terms of office; extending the time for the collection of the same, and validating collections and proceedings for collections made or commenced without previous authority.

Which was committed to the Committee on Judiciary General.

House Bill No. 399, entitled:

An Act regulating tax collectors' warrants hereafter issued with tax duplicates; authorizing the collecting of taxes for which the tax collectors have become personally liable, after the final settlement of the tax duplicates and after the expiration of their terms of office.

Which was committed to the Committee on Judiciary General.

House Bill No. 488, entitled:

An Act authorizing the Secretary of Highways, at the request of, and under agreement with, the Public Roads Administration of the United States, to lay out, establish, construct and maintain flight strips and roads to the sites of war activities or to replace roads or streets which have been closed by defense or military activities and to condemn property for such purposes; authorizing a width of two hundred feet for such roads in certain cases, and making appropriations.

Which was committed to the Committee on Highways.

House Bill No. 509, entitled:

An Act to amend section three hundred and six of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven, (P. L. 2017), entitled "County Institution District Law" providing for fixing the number and compensation of employes of institution districts and conferring powers and imposing duties on county officers.

Which was committed to the Committee on County Government.

House Bill No. 511, entitled:

An Act to further amend the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1625), entitled "An act providing for the creation maintenance and operation of a county employes' retirement system in counties of the third class and imposing certain charges on counties" extending and further regulating such retirement systems

Which was committed to the Committee on County Government.

House Bill No. 514, entitled:

An Act to amend the act approved the fifth day of August, one thousand nine hundred forty-one (P. L. 803), entitled "An act providing for the creation, maintenance and operation of a county employes retirement system in counties of the fifth class; imposing certain charges on counties, and prescribing penalties," further regulating such retirement systems.

Which was committed to the Committee on County Government.

House Bill No. 519, entitled:

An Act to amend the act approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," further regulating such retirement systems.

Which was committed to the Committee on County Government.

House Bill No. 522, entitled:

An Act relating to post-war planning, creating a Post-War Planning Commission and defining its powers and duties; conferring powers and duties upon State administrative departments, boards and commissions, political subdivisions, and other agencies; and making an appropriation.

Which was committed to the Committee on State Government.

House Bill No. 569, entitled:

An Act to amend section eleven of the act approved the fifth day of June, one thousand nine hundred forty-one, (P. L. 84), entitled "An act providing for and regulating the appointment, promotion and reduction in rank, suspension and removal of paid members of the police force in boroughs, incorporated towns and townships of the first class maintaining a police force of not less than three members; creating a civil service commission in each borough, incorporated town and township of the first class; defining the duties of such civil service commission; imposing certain duties and expenses on boroughs, incorporated towns and townships of the first class; imposing penalties, and repealing inconsistent laws," providing for preference under preexisting law in favor of war veterans.

Which was committed to the Committee on Military Affairs.

House Bill No. 571, entitled:

An Act empowering cities of the third class, boroughs, incorporated towns and townships to co-operate with each other, through joint agreements, in the exercise of their governmental powers, duties, and functions relating to the public health, recreation, zoning, and municipal planning.

Which was committed to the Committee on Municipal Government.

House Bill No. 584, entitled:

An Act authorizing counties of the second class to regulate the production of smoke from chimneys, smokestacks or other source including provisions for the payment of inspection and certificates of compliance fees incident thereto; authorizing the expenditure of money for the employment of persons and the acquisition of property for effectuating such regulations; and providing penalties for the violation thereof.

Which was committed to the Committee on County Government.

House Bill No. 590, entitled:

An Act requiring political subdivisions to refund taxes and license fees erroneously and inadvertently paid thereto, and giving a right of action against such political subdivision for the recovery of such taxes and fees upon their failure to make such refunds, making the provisions of the act retroactive and repealing existing laws.

Which was committed to the Committee on Municipal Government.

House Bill No. 593, entitled:

An Act to further amend sections one, two and three of the act, approved the nineteenth day of July, one thousand nine hundred thirty-five (P. L. 1356), entitled "Licensed Weighmasters Act" by defining the word "purchaser"; making the transportation of solid fuel unlawful in certain cases; and further regulating the forms used by weighmasters, and the disposition thereof.

Which was committed to the Committee on State Government.

House Bill No. 595, entitled:

An Act to amend section four thousand three hundred four of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "Third Class City Law" removing becoming a nonresident of the State as a cause for forfeiture of rights under the police pension fund.

Which was committed to the Committee on Municipal Government.

House Bill No. 634, entitled:

An Act to further amend sections seven hundred three, seven hundred four and nine hundred and three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code" by changing annual registration fees and the gross weight of certain commercial motor vehicles and truck tractors.

Which was committed to the Committee on Highways.

House Bill No. 635, entitled:

An Act to further amend section fourteen of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1043), entitled, "School Employes Retirement Law" extending the retirement provisions relating to former teachers to additional cases who separated from school service prior to the first day of July, one thousand nine hundred and nineteen.

Which was committed to the Committee on Education.

House Bill No. 650, entitled:

An Act to further amend section three hundred forty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," authorizing counties of the third class to enter into contracts up to five hundred dollars without advertising for bids.

Which was committed to the Committee on County Government.

House Bill No. 655, entitled:

An Act to amend clause (g) of section nineteen of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 849), entitled "The Permanent Registration Act in Cities of the Third Class," by changing the procedure relating to the registration of state and federal employes.

Which was committed to the Committee on Elections.

House Bill No. 659, entitled:

An Act to amend clause (g) of section eighteen of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "The Permanent Registration Act for Boroughs, Towns and Townships," by changing the procedure relating to the registration of state and federal employes.

Which was committed to the Committee on Elections.

House Bill No. 660, entitled:

An Act to amend clause (g) of section nineteen of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "The Permanent Registration Act in Cities of the Second Class," by changing the procedure relating to the registration of state and federal employes.

Which was committed to the Committee on Elections.

House Bill No. 661, entitled:

An Act to amend clause (g) of section nineteen of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1132), entitled "The Permanent Registration Act in Cities of the Second Class A," by changing the procedure relating to the registration of state and federal employes.

Which was committed to the Committee on Elections.

House Bill No. 662, entitled:

An Act to amend clause (k) of section three hundred two, and sections nine hundred fourteen and nine hundred seventy-seven of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," by changing the time for the certification of returns to the Secretary of the Commonwealth; the time for the withdrawal of candidates for nomination or election at any primary and the time for filing objections to nomination petitions.

Which was committed to the Committee on Elections.

House Bill No. 675, entitled:

An Act to further amend section seventeen of the act approved the twenty-ninth day of May, one thousand nine hundred thirty-one (P. L. 280), entitled "Delinquent Tax Sales Act of 1931," making the sale of land purchased at treasurer's sale discretionary; and authorizing the sale of such property on court order free and clear of all liens, charges and estates.

Which was committed to the Committee on Judiciary General.

House Bill No. 680, entitled:

An Act to amend section one of the act which became effective on the seventh day of July, one thousand eight hundred and seventy-nine (P. L. 194), entitled "Alderman and Justice of the Peace Jurisdiction Law," further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen.

Which was committed to the Committee on Judiciary General.

House Bill No. 684, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "Business Corporation Law," by authorizing the certain officers of dissolved business corporations to execute and deliver deeds, conveyances, agreements, assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution

Which was committed to the Committee on Corporations.

House Bill No. 685, entitled:

An Act to further amend clause nine of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "State Employes Retirement Law," by extending the time within which former employes of the Commonwealth may reenter the retirement association and secure the status of an original member thereof.

Which was committed to the Committee on State Government.

House Bill No. 690, entitled:

An Act to further amend clause seven of section one of the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "School Employes Retirement Law," extending the time for officers and employes of the Department of Public Instruction to withdraw from the Retirement System and receive reimbursement for moneys paid in; and requiring payments from the School Employes' Retirement Fund into the State Employes' Retirement Fund in certain cases.

Which was committed to the Committee on Education.

House Bill No. 691, entitled:

An Act to further amend clauses nine and thirteen of section one of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "State Employes' Retirement Law," further defining original members and prior service in the case of officers and employes of the Department of Public Instruction, who have withdrawn from the Public School Employes' Retirement Association.

Which was committed to the Committee on Education.

House Bill No. 731, entitled:

An Act to further amend subsection (c) of section four hundred twelve of the act approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "Pennsylvania Election Code," fixing the mileage of judges of election for transmitting returns of primaries and elections and ballot boxes.

Which was committed to the Committee on Elections.

House Bill No. 735, entitled:

An Act to amend sections eleven, fifteen, and seventeen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," further regulating appeals from assessments, and exonerations and refunds of taxes effected thereby; validating appeals heretofore taken; and imposing additional duties upon the said board.

Which was committed to the Committee on Judiciary General.

House Bill No. 736, entitled:

An Act to further amend section sixteen of the act, approved the third day of May, one thousand nine hundred thirty-three (P. L. 252), entitled, as amended, "Beverage License Law," by providing for the surrendering by persons in military service of licenses granted to them, the renewal thereof by the board during the licensee's continuance in such service and the renewal thereof thereafter.

Which was committed to the Committee on Law and Order.

House Bill No. 742, entitled:

An Act to amend section one of the act, approved the fifteenth day of June, one thousand nine hundred and thirty-nine (P. L. 346), entitled "An act to promote uniformity in the assessment and taxation of properties and persons within the territorial limits of cities of the second class by providing that city taxes within such territorial limits shall be assessed, levied and collected upon the basis of the county assessments; imposing duties on county assessing authorities; abolishing the department of assessors in cities of the second class and transferring certain property to county taxing authorities," by defining the effect upon appeals of the certification of tax duplicates to cities of the second class and to school district coterminous therewith, and providing for exonerations and refunds of taxes assessed against properties affected by such appeals.

Which was committed to the Committee on Judiciary General.

House Bill No. 747, entitled:

An Act to further amend clause (f) and to amend clause (g) of section twenty of the act, approved the thirtieth day of March, one thousand nine hundred thirty-seven (P. L. 115), entitled "The First Class City Permanent Registration Act," by changing procedure relating to registration of state and federal employes.

Which was committed to the Committee on Elections.

House Bill No. 770, entitled:

An Act to further amend section four of the act, approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "Vocational Education Law," by adding clause (d), providing for future rehabilitation programs in public schools.

Which was committed to the Committee on Education.

House Bill No. 792, entitled:

An Act to further amend section one thousand four hundred and one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "Fiscal Code," by clarifying lien of interest.

Which was committed to the Committee on Finance.

House Bill No. 808, entitled:

An Act to provide for certain powers related to the war emergency to the Department of Public Assistance and county boards of assistance providing for assistance to individuals in distress because of enemy action or the danger thereof providing for the expenditure of State funds therefor and for the acceptance of reimbursement from the United States Government of funds so expended.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 812, entitled:

An Act to further amend sections four hundred four, four hundred eight and four hundred ten of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended, "Pennsylvania Liquor Control Act," by providing for appeals to the Superior Court from the refusal of the board to issue, renew or transfer licenses.

Which was committed to the Committee on Judiciary General.

House Bill No. 813, entitled:

An Act to amend sections three hundred ten and three hundred eleven of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1225), entitled "The Game Law," by providing for monthly returns and payments by issuing agents; and requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue.

Which was committed to the Committee on Forests and Waters, Game and Fish.

House Bill No. 815, entitled:

An Act to amend sections one and two of the act approved the eighth day of June, one thousand eight hundred ninety-three (P. L. 344), entitled "An act relating to husband and wife, enlarging her capacity to acquire and dispose of property, to sue and be sued, and to make a last will, and enabling them to sue and to testify against each other in certain cases," further extending the property and contractual rights of married women.

Which was committed to the Committee on Judiciary Special.

House Bill No. 816, entitled:

An Act providing temporary increases in the salaries of certain members of the teaching and supervisory staffs of school districts; authorizing additional appropriations and temporary loans therefor; and requiring the Commonwealth to reimburse school districts for the full amount of such increases.

Which was committed to the Committee on Education.

House Bill No. 817, entitled:

An Act to amend the title and the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2420), entitled "An act fixing the hours of rest each calendar week, and the vacation period of members of the Pennsylvania Motor Police, Motor Police and Patrolmen and Guards in State Parks," by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police.

Which was committed to the Committee on State Government.

House Bill No. 818, entitled:

An Act to amend sections one, two and four of the act, approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 494), entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing the powers and duties, and authorizing the use of the committee of the employes, equipment, supplies and facilities of certain State agencies," by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

Which was committed to the Committee on State Government.

House Bill No. 819, entitled:

An Act to further amend the title and the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1314), entitled as amended, "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth; prescribing the qualifications for admission of such persons to such school; providing for the payment of certain costs by such students; conferring certain powers upon the Pennsylvania Motor Police; and making an appropriation," by imposing upon the Pennsylvania State Police the duties formerly imposed upon the Pennsylvania Motor Police.

Which was committed to the Committee on State Government.

House Bill No. 820, entitled:

An Act to amend the title and certain sections of the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), entitled "An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," by changing the name of the Pennsylvania Motor Police Retirement Systen to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police, and conforming said act to existing law.

Which was committed to the Committee on State Government.

House Bill No. 824, entitled:

An Act to further amend certain sections of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," as reenacted and amended, by making the moneys in the Motor License Fund available to the Pennsylvania State Police to defray the expenses required by such agency in the proper conduct of part of its work.

Which was committed to the Committee on State Government.

House Bill No. 826, entitled:

An Act to further amend sections 823 (i) and (j) and 1211 of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," as variously amended, by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

Which was committed to the Committee on State Government.

House Bill No. 829, entitled:

An Act to amend the title and sections four, five, six and eight of the act, approved the third day of July, one thousand nine hundred forty-one (P. L. 249), entitled "A supplement to the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), as amended, entitled, 'An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties,'" by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System and the name Pennsylvania Motor Police to Pennsylvania State Police.

Which was committed to the Committee on State Government.

House Bill No. 831, entitled:

An Act to amend the title and certain sections of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 660), entitled "An act providing for the return of escaped prisoners and convicts after apprehension, to the penitentiary or state institution from which they escape, by the agents of the Department of Justice or the Pennsylvania Motor Police, and requiring the penitentiary or state institution to defray the expenses thereof," by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

Which was committed to the Committee on State Government.

House Bill No. 833, entitled:

An Act to further amend the title and the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 414), entitled, as amended, "An act providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals; conferring powers and imposing duties upon the Pennsylvania Motor Police, district attorneys, police officers, wardens or keepers of jails, prisons, workhouses, or other penal institutions, and sheriffs; providing for the payment of certain expenses by the counties; and imposing penalties," by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act.

Which was committed to the Committee on State Government.

House Bill No. 847, entitled:

An Act to amend the title and section four of the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "National Defense Housing Law," by extending the limitation of the initiation of such projects from December thirty-first, one thousand nine hundred forty-three, until December thirty-first, one thousand nine hundred forty-five.

Which was committed to the Committee on State Government.

House Bill No. 849, entitled:

An Act relating to child care centers; conferring certain powers and duties upon the State Council of Defense, local and district councils of defense, and political subdivisions; providing for the adoption of rules and regulations for the maintenance, operation and conduct thereof; and authorizing appropriations by political subdivisions.

Which was committed to the Committee on State Government.

House Bill No. 865, entitled:

An Act to amend section four hundred nine of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled, as amended "Pennsylvania Liquor Control Act," by providing for the surrendering by persons in military service of licenses granted to them, the renewal thereof by the board during licensee's continuance in such service, and the renewal thereof thereafter.

Which was committed to the Committee on Law and Order.

House Bill No. 886, entitled:

An Act to amend sections one thousand one hundred twenty, one thousand one hundred twenty-eight and one thousand one hundred thirty-nine of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," by providing for the appointment of substitute and acting county superintendents of school, substitute assistant county superintendents of schools, substitute supervisors of special education, and substitute and acting district superintendents of schools.

Which was committed to the Committee on Education.

House Bill No. 889, entitled:

An Act to amend section eight of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by changing the name State Highway Patrolmen to Pennsylvania State Police.

Which was committed to the Committee on State Government.

House Bill No. 914, entitled:

An Act to further amend the title and certain sections of the act, approved the twenty-seven day of April, one thousand nine hundred twenty-seven (P. L. 450), entitled as amended, "State Fire Marshal Law," by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act.

Which was committed to the Committee on State Government.

House Bill No. 993, entitled:

An Act to amend clause (g) of section two hundred four of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "The General County Assessment Law," by providing that the exemption from local taxation afforded to certain public property shall not extend to property otherwise taxable, which is owned or held by an agency of the Government of the United States.

Which was committed to the Committee on State Government.

REPORTS FROM COMMITTEES

Mr. CROWE, from the Committee on Appropriations, reported as amended, Senate Bill No. 77, entitled:

An Act making an appropriation to the Water and Power Resources Board for the reconstruction of the dam near the village of Seelyville in Wayne County, which was recently dynamited to eliminate a flood hazard, and authorizing said board to undertake and compete the reconstruction of the aforesaid dam.

BILL RE-REFERRED

He also, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 470, entitled:

An Act authorizing and creating an Anthracite Mine Subsidence Commission within the Department of Mines of the Commonwealth of Pennsylvania; defining its jurisdiction and powers, its duties to undertake studies and prepare such plan or plans as shall be deemed necessary to conserve anthracite; to prevent the loss of life both on the surface and underground; to prevent the destruction of property, both underground and on the surface, as a result of subsidence due to the removal of coal; providing for the common good of the people in the Anthracite Region and the Anthracite Industry; authorizing the commission to enter anthracite mines and the surface above such mines, and to designate locations for bore holes for flushing mines; providing for employes of said commission and their salaries; imposing duties upon the commission and making an appropriation.

Which was re-referred to the Committee on Appropriations.

Mr. LETZLER, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 397, entitled:

An Act to further amend section five hundred fourteen of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by adding thereto clause (f) providing for contracts and leases for the mining and removal of minerals, including oil and gas, from lands of the Commonwealth.

Mr. THOMAS B. WILSON, from the Committee on State Government, reported as committed, Senate Bill No. 474, entitled:

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth, together with the rentals derived therefrom, shall be repaid to and credited to the proper special fund, from which the funds to purchase said real estate were taken.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 453, entitled:

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund.

He also, from the Committee on State Government, reported as amended, Senate Bill No. 164, entitled:

An Act creating a Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties.

Mr. FARRELL, from the Committee on State Government, reported as committed, Senate Bill No. 354, entitled:

An Act to further amend clause (d) of section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 452), entitled, as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to sell and convey projects and property to the Commonwealth, the United States, or any Federal agency.

Mr. WADE, from the Committee on Aeronautics, reported as committed, Senate Bill No. 443, entitled:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by reducing the amount of the minimum fine which may be imposed for certain violations.

He also, from the Committee on State Government, reported as committed, House Bill No. 131, entitled:

An Act to amend section five of the act approved the fourteenth day of May, one thousand nine hundred fifteen (P. L. 524), entitled "An act creating a fund for the purpose of rebuilding, restoring, and replacing buildings, structures, equipment, or other property of the Commonwealth of Pennsylvania, damaged or destroyed by fire or other casualty, and regulating the placing of insurance thereon, and providing penalties for any violation of the provisions of this act," eliminating the exception of armory buildings owned by the Commonwealth and under the supervision of the Armory Board from the provisions of said act.

Mr. WALKER, from the Committee on Appropriations, reported as committed, Senate Bill No. 25, entitled:

An Act making an appropriation to the Monongahela Memorial Hospital Association of Monongahela City, Pennsylvania.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 243, entitled:

An Act to further amend section eleven of the act, approved the seventeenth day of February, one thousand nine hundred six (P. L. 45), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," by further regulating the rendition and advertisement of statements of moneys to the credit of the various funds in the State Treasury.

Mr. JAMES, from the Committee on Appropriations, reported as committed, Senate Bill No. 178, entitled:

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-five (P. L. 244), entitled "An act creating a Local Government Commission to study and report on functions of local government; their allocation and elimination; the cost of local government and means of reducing it; and the consolidation of local government; and making an appropriation," fixing the terms of the member of said commission; providing for the filling of vacancies; and making an appropriation.

Mr. McQUIDDY, from the Committee on Mines and Mining, reported as committed, House Bill No. 285, entitled:

An Act to further amend section one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended, "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith.

Mr. STIEFEL, from the Committee on State Government, reported as committed, Senate Bill No. 261, entitled:

An Act to amend section one of the act, approved the fifth day of August, one thousand nine hundred and forty-one, (P. L. 826), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey certain plots of land," by correcting the location of the plot of land described in paragraph Fourteen, and providing for the sale of certain additional plots of land.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 350, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College on behalf of the Commonwealth of Pennsylvania, that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestley, and now the property of the Pennsylvania State College; providing for the control, management and maintenance thereof by the said department and the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies, or individuals, such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial; authorizing the Pennsylvania Historical Commission to accept as gifts or loan, such books, manuscripts, pamphlets, relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science, and making an appropriation.

He also, from the Committee on State Government, reported as committed, House Bill No. 460, entitled:

An Act to add Section six to the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 600), entitled "An act providing that appointive officers and employes, employed by the Commonwealth of Pennsylvania in its civil service, or by any department, bureau, commission, or office thereof, or by any county, municipality, township, or school district, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment, enrollment, or draft in the military or naval service of the United States or any branch or unit thereof, in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy; directing that one-half of the salaries or wages of such officers or employes as have dependent wives, children, or parents, and not exceeding two thousand dollars per annum, be paid during the term of their service in the Army or Navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes, respectively, and providing for the compensation of such substitutes" saving to members of the Pennsylvania Motor Police Force, their right to increases in pay and certain advancements in rank.

He also from the Committee on Appropriations, re-reported as committed, House Bill No. 49, entitled:

An Act to amend the title and sections one to twelve, both inclusive, of the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 3), entitled "An act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania, or any part thereof, shall be in active service of the United States," changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard and authorizing additional annual allowances to uniformed officers for arms, uniforms, and equipment.

Mr. SHAPIRO, from the Committee on State Government, reported as committed, Senate Bill No. 425, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Crawford County, Pennsylvania, known as the Keystone Ordnance Plant, and ceding jurisdiction to the United States.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 430, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquistion by the United States of America of a tract of land in the Thirty-eighth Ward, of the City of Philadelphia, Pennsylvania, known as the Philadelphia Signal Depot, and ceding jurisdiction to the United States.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 445, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City and County of Philadelphia, Pennsylvania, known as the Philadelphia Armor Plate Plant, and ceding jurisdiction to the United States.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 452, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties, Pennsylvania, known as Pennsylvania Ordnance Works, and ceding jurisdiction to the United States.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 457, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the Forty-eighth Ward of the City of Philadelphia, Pennsylvania, known as the Philadelphia Quartermaster Depot, and ceding jurisdiction to the United States.

Mr. MALLERY, from the Committee on Constitutional Changes, reported as amended, Senate Bill No. 309, en-entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

He also, from the Committee on Constitutional Changes, reported as amended, Senate Bill No. 310, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

He also, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 172, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Pennsylvania Soldiers' Orphan School to acquire a certain tract of land for the use of said school; and making an appropriation therefor.

He also, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 472, entitled:

An Act providing that every mine foreman, assistant mine foreman and fire boss under the bituminous mining laws and the anthracite mining laws of the Commonwealth represent and are officers of the Commonwealth in the mines in whic hemployed; for the suspension or cancellation of the certificates of such officials as shall hold same and for the disqualification of such as are uncertificated by the Secretary of Mines after or prior to hearing for failure or refusal to perform their respective duties; defining the procedure in such hearing and the powers of the Secretary of Mines with respect thereto and providing for a review of his decisions by the Court of Common Pleas of Dauphin County and the Superior Court; providing for reexamination by the examining board of any person whose certificate has been cancelled and for reinstatement of such as are uncertificated; and prohibiting the employment by any operator of any person not possessing the requisite certificate or whose certificate is suspended or who has been disqualified.

Mr. DEITRICK, from the Committee on Appropriations, reported as committed, Senate Bill No. 449, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

Mr. BARR, from the Committee on Aeronautics, reported as committed, Senate Bill No. 477, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by transferring to the Pennsylvania Public Utility Commission the powers and duties conferred and imposed upon the Department of Revenue, and directing that the cost of administering said act shall be segregated on the books of the commission.

Mr. COLEMAN, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 348, entitled:

An Act to amend section four of the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1409), entitled, as amended "An act authorizing the creation of State mining commissions, with judicial powers, to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, and over the assessment and awards of benefits, improvements, and damages for coal required to be left in place by reason of the obligation to furnish support for land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, whether the damages are payable by the Commonwealth or a county or a municipality; authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands, easements or right of ways caused by the removal of coal under or adjacent thereto; waiving vertical and lateral support therefor under certain conditions; reserving the right to acquire absolute vertical and lateral support; reserving the power to establish detours for the removal of coal underlying State highways; providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place," by waiving under certain conditions where no damages are payable vertical and lateral support to all lands, easements and right of ways purchased, condemned or otherwise acquired by the Commonwealth.

Mr. JASPAN, from the Committee on Appropriations, reported as committed, Senate Bill No. 463, entitled:

An Act making an appropriation to the Department of Welfare for the purchase of furniture and equipment for the Philadelphia State Hospital.

RESOLUTION

SENATE BILL No. 138, PRINTER'S No. 108, RECALLED FROM THE GOVERNOR

Mr. MALLEY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. MALLERY offered the following resolution which was twice read, considered and agreed to:

In the Senate of Pennsylvania, April 7, 1943.

Resolved (if the House of Representatives concur), That Senate Bill No. 138, Printer's No. 108, entitled "An act to amend sections six hundred four, six hundred five and six hundred seven, and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Department of Internal Affairs," be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. EDMONDS asked and obtained unanimous consent to address the Senate.

Mr. EDMONDS. Mr. President, this bill is entitled "An act relating to reservation of powers of the Commonwealth with respect to lands purchased or condemned by the United States" and it is based upon an act which has long been in force in California whereby the state of California receives local taxes and state taxes upon all of the land that is purchased or condemned by the Federal Government for governmental purposes.

We have had a number of bills on our calendar by which the Federal Government acquires certain lands, and it seems to me to be perfectly fair that they should pay a tax and, therefore, I introduce this bill in the hope that it will help settle the question as to just what becomes of land which the Federal Government takes.

BILLS INTRODUCED AND REFERRED

Mr. EDMONDS read in his place and presented to the Chair Senate Bill No. 521, entitled:

An Act relating to reservation of powers of the Commonwealth with respect to lands purchased or condemned by the United States.

Which was committed to the Committee on State Government.

Mr. TALLMAN read in his place and presented to the Chair Senate Bill No. 522, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Lehigh.

Which was committed to the Committee on Highways.

Mr. WALKER read in his place and presented to the Chair Senate Bill No. 523, entitled:

An Act to amend section six hundred three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for the completion of public monuments.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 524, entitled:

An Act to amend sections four hundred twenty-six and four hundred twenty-seven of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

Which was committed to the Committee on Judiciary General.

Mr. McGINNIS read in his place and presented to the Chair Senate Bill No. 525, entitled:

An Act to amend section four of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-seven (P. L. 774), entitled "An act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County; providing for the creation of the Pennsylvania Turnpike Commission, and conferring powers and imposing duties on said commission; authorizing the issuance of turnpike revenue bonds of the Commonwealth, payable solely from tolls, to pay the cost of such turnpike; providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act; providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike; making such bonds exempt from taxation; constituting such bonds legal investments in certain instances; prescribing conditions upon which such turnpike shall become free; providing for condemnation; granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds," by increasing the salaries of the chairman and appointed members of the commission.

Which was committed to the Committee on Highways.

Mr. DENT read in his place and presented to the Chair Senate Bill No. 526, entitled:

An Act providing for the commitment to appropriate hospitals or institution for care and treatment of certain women reasonably suspected of being carriers of venereal diseases, and imposing additional duties and conferring additional powers upon district attorneys and courts of quarter sessions.

Which was committed to the Committee on Public Health.

Mr. DENT. This bill, Mr. President, is introduced at the request of the district attorney of Westmoreland county. This bill is very necessary at this time because of many army bases and camps in Pennsylvania and this bill is to help regulate a very serious condition.

Mr. GOURLEY read in his place and presented to the Chair, Senate Bill No. 527, entitled:

An Act making an appropriation to the Canonsburg General Hospital, Canonsburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

PERMISSION TO ADDRESS SENATE

Mr. COX asked and obtained unanimous consent to address the Senate.

Mr. COX. During the last twenty years of my life I have had a sincere interest in penology, an interest which has taken me into the penitentiaries and into the reform schools of this state.

At the time the Parole Board ripper was presented, I, of course made a careful investigation of all the facts concerning parole supervision and the granting of parole. Mr. President, I am not going to make any detailed statement about that bill—I do not think it would be fair to the members of the Senate at this time to take their time to do that.

I will say that from the information that I have received relative to the whole correctional system of the Commonwealth, I have come to the conclusion that the thing that is indicated at this time is a careful study of the whole correctional system of the Commonwealth of Pennsylvania. By correctional system I mean not only the supervision of paroled individuals who violate the law but I mean the arrest and incarceration, the manner in which we take care of those people when we incarcerate them and so, for that reason, I present to the Chair at this time the following bill, which will help in the study of the question of penal affairs.

I might say that my studies have indicated that there is a complete lack of unity in our Commonwealth with regard to these matters but I feel ultimately that this Commonwealth will rise to a position where we will have in Pennsylvania a department of correction, the head of which department will be a member of the Cabinet of the Governor.

Mr. COX read in his place and presented to the Chair, Senate Bill No. 528, entitled:

An Act providing for the appointment of a commission to make a study of the whole question of crime prevention, incarceration, reform, probation, parole and pardon, as administered in this Commonwealth and in other states and territories of the United States and in foreign countries; defining its powers and duties, including the power to issue subpoenas, and to employ counsel and employes; and making an appropriation.

Which was committed to the Committee on Judiciary General.

Mr. GOURLEY read in his place and presented to the Chair, Senate Bill No. 529, entitled:

An Act making an appropriation to the Greene County Memorial Hospital, Waynesburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. BARR read in his place and presented to the Chair, Senate Bill No. 530, entitled:

An Act to further amend section eleven of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payment therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by extending the service allowance of certain employes.

Which was committed to the Committee on Education.

Mr. COX read in his place and presented to the Chair, Senate Bill No. 531, entitled:

An Act authorizing counties of the second class to enter into contracts with any city within the county for the hospitalization of persons suffering from infectious diseases, and to make appropriations therefor.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair, Senate Bill No. 532, entitled:

An Act to further amend the last paragraph of section five of the act approved the twelfth day of May, one thousand nine hundred eleven, (P. L. 295), entitled "A supplement to an act, entitled 'An act for the government of cities of the second class,' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection, and disbursement of taxes and water-rents, or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for," requiring the board of water assessors to furnish information to departments of the city government.

Which was committed to the Committee on Municipal Government.

REPORT FROM COMMITTEE

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on State Government, reported as committed, House Bill No. 651, entitled:

An Act providing for the printing and distribution of Senate and House Bills and Senate and House Calendars.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, last week this body decided to hold four day sessions. This is the third day of the session for this week and we find that practically half of our membership is not present. I realize that many of the men who are serving in this body must be back at home to take care of their needs but that holds true for all of us.

Mr. President, I certainly have no intention of sitting here day after day and finding bills passed over in order for the simple reason that many of our members can not attend.

Next week, Mr. President, and this is a warning to all of the members, I intend to issue a call to the Senate and have the sergeant-at-arms bring back all members who are absent unless they have asked previously for leave of absence, so, commencing next Monday and up until the last day of the Session, I want to go on record as saying I shall issue a call to ascertain whether or not we can not conclude this Session in an orderly manner.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, in connection with the remarks just made by the Senator from Cambria, Mr. Haluska, I would like to inform the Senate that the Senator from Allegheny, Mr. McGinnis and myself, as the two party leaders are about to present a co-sponsored resolution in condemnation of absenteeism here and requesting full attendance, unless members are absent for a good reason.

LEAVE OF ABSENCE

Mr. Heyburn asked and obtained leave of absence for Mr. SNOWDEN due to serious illness in his family.

Mr. JAMES asked and obtained leave of absence for himself, due to previous legal commitment.

Mr. Jaspan asked and obtained leave of absence for Mr. DiSILVESTRO who is engaged in official business.

RESOLUTION

URGING SENATORS TO BE PRESENT DURING SESSION

Mr. HEYBURN. Mr. President, I ask unanimous consent to offer a resolution at this time, on behalf of Senator McGinnis and myself.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Messrs. HEYBURN and McGINNIS offered the following resolution which was twice read as follows:

Whereas, The responsibilities of many of the Senators elsewhere has resulted in absences from the floor from time to time and such absenteeism is seriously impeding the passage of vital legislation, especially as we approach the closing Sessions of the Senate.

Now, Therefore, Be It Resolved That the members of the Senate are requested and urged to make every possible effort to so arrange their affairs as to enable them to be regularly in their seats until the closing of the Session; and be it further

Resolved That a copy of this Resolution be mailed by first-class mail to each one of the members of the Senate at his home address.

SUSPENSION OF RULE 39

Mr. McGINNIS. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

Which was agreed to.
On the question,
Will the Senate agree to the resolution?

Mr. McGINNIS. Mr. President, I want to approve everything which has been said by the Senator from Cambria, Mr. Haluska, and also by the Senator from Delaware, Mr. Heyburn, with regard to absentee members of this body.

I feel that if we had a full membership here that perhaps we could finish this Session in two or three weeks. I know the other side is determined to have this Session close as soon as possible. We are all busy back home and there is lots to do back home, and I feel that during the next few weeks the Senators should be here and attend to their duties.

Mr. SHAPIRO. Mr. President, I have no objection to the resolution nor to its immediate consideration and I shall vote for it, but I think it is a little bit unfair to suggest to the members that the absence of any member from this Senate has up until now interfered with the passage of any important legislation. I went through the Calendar on Monday night and I found that up until now we have passed about 52 bills, including those which have come over from the House.

From an examination of that list I would frankly like to say that I do not think the Commonwealth of Pennsylvania would have suffered one bit if any one of those bills had not been passed, outside of three deficiency appropriation bills.

I have voted for most of those bills, with the exception of four or five, but even if I had not voted for any one of them, or anybody else in this Senate, I think the State of Pennsylvania would have been just as well off.

Of course, I believe when important bills come along for passage that all of us should be here.

Mr. THOMAS B. WILSON. Mr. President, I intend to vote "no" on this resolution, as I could not with consistency vote for it as I have been absent sometimes and therefore I want to be recorded as voting "no."

The PRESIDENT PRO TEMPORE. The vote of the gentleman from McKean will be so recorded.

Mr. HALUSKA. Mr. President, since this resolution is now before the Senate for action, I want to be explicit and to repeat what I have previously stated, that unless members ask for leave of absence, it is my firm intention to issue a call of the Senate and have them brought here by force.

And the question recurring,
Will the Senate agree to the resolution?
It was agreed to.

RECESS

Mr. THOMAS B. WILSON. Mr. President, I move that the Senate do now take a short recess for a meeting of the Committee on Labor and Industry.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE. The time of recess having elapsed the Senate will be in order.

HOUSE MESSAGE

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 138

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the the Senate as follows:

In the Senate, April 7, 1943.

Resolved (if the House of Representatives concur) That Senate Bill No. 138, Printer's No. 108, entitled:

"An Act to amend section six hundred four, six hundred five and six hundred seven and to further amend section two thousand four hundred seven of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by further defining the duties of the Department of Internal Affairs."

be recalled from the Governor for the purpose of further consideration.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 7, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

G. Milton Augenstene, Pittsburgh, 2851 Bedford Ave.

Raymond C. Fisher, Pittsburgh, Amer. Sm. and Ref. Co. Bldg., 615 Gross St.
Mrs. Gladys H. Thomson, McKeesport.

ERIE COUNTY

Miss Dona L. Cole, Erie.
C. J. Denmark, Erie.

LACKAWANNA COUNTY

Joseph V. Phillips, Scranton.

LAWRENCE COUNTY

Merle E. Thorn, Union Twp., Valley Motor Freight. R. D. No. 2, New Castle.

LYCOMING COUNTY

Harry E. Butson, Williamsport.

PHILADELPHIA COUNTY

George Gornish, Phila., 613 S. Clarion St.
John J. Nahrgang, Jr., Phila., 4331 Cottman Ave.

WASHINGTON COUNTY

Mrs. Elizabeth M. Culler, Charleroi.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

LUZERNE COUNTY

M. V. Quinn, Pittston, April 10, 1943.

ALLEGHENY COUNTY

Howard G. Rice, Pittsburgh, 5929 Broad St., April 12, 1943.

PHILADELPHIA COUNTY

Miss Margaret E. Murphy, Phila., 1227 N. April 12, 1943.

ERIE COUNTY

G. U. Hopkins, Edinboro, April 17, 1943.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Chapman,
Edmonds,
Farrell.
Geltz,
Gourley,
Haluska,
Kephart,
Letzler,
Mallery.
McGinnis,
McQuiddy,
Tallman,
Taylor,
Thomas,
Tyler.
Wade,
Coleman,
Cox,
Crowe.
Deitrick,
Dent.
Heyburn,
Holland,
Homsher,
Jaspan,
Jones,
Ruth,
Scarlett,
Shapiro,
Stevenson,
Stiefel,
Walker,
Watkins,
Wilson, H. I.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORT FROM COMMITTEE

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Agriculture, reported as committed, Senate Bill No. 444, entitled:

An Act to repeal the act approved the fourth day of May, one thousand eight hundred eighty-nine (P. L. 87), entitled "An act relating to sales of provisions by description."

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. WATKINS, from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor of the Commonwealth:

MEMBER OF THE DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate R. Chapman Carver, Hartsville, Bucks County, for appointment as a member of the Delaware River Joint Toll Bridge Commission, until annulled, vice Clarence J. Buckman, deceased.

EDWARD MARTIN.

UNANIMOUS CONSENT UNDER RULE 38

By unanimous consent,

A motion was made by Mr. WATKINS and Mr. LETZLER,

To grant unanimous consent to immediate consideration of the nomination just reported from the Committee on Executive Nominations, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. KATKINS and Mr. LETZLER,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

Two-third of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATKINS. Mr. President, I move that the Executive Session do now rise.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. CARR. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. CARR, from the Commitee on Labor and Industry, reported as amended, Senate Bill No. 344, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," including persons subject to the National Labor Relations Act in the definition of "employer."

He also, from the Committee on Public Health, re-reported as amended, Senate Bill No. 258, entitled:

An Act to amend section two of the act approved the twenty-ninth day of April, one thousand nine hundred twenty-five (P. L. 358), entitled "An act for the identification of infants born in places where maternity cases are handled; providing for the taking of finger or foot prints of infants, and the filing of the same, and charging persons in charge of such places with the enforcement thereof," by providing for the taking of such prints of the mother of each such infants.

He also, from the Committee on Public Health, reported as amended, House Bill No. 235, entitled:

An Act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the third reading and consideration of Senate bill No. 17, entitled:

An Act creating a municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to existing retirement and pension systems and upon officers and employes of such political subdivisions providing certain exemptions from taxation execution attachment levy and sale and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Short Title This act shall be known and may be cited as the "Municipal Employes' Retirement Law"

Section 2 Definitions The following words and phrases unless a different meaning is plainly required by the context shall have the following meanings

"Board" the Municipal Employes' Retirement Board

"Municipality" a city borough town township county and institution district

"Municipal Employe" a person holding an office or position under a municipality in any capacity whatever employed and paid on a yearly or monthly basis or employed and paid by the municipality on a per diem basis The term shall not include officers and employes paid wholly on a fee basis

"Member" a municipal employe who has become a member of the Municipal Employes' Retirement System established by this act

"Original Member" a municipal employe who was a municipal employe at the date the municipality by which he is employed joined the retirement system established by this act

"New Member" a municipal employe who first becomes a municipal employe after the date the municipality by which he is employed joined the retirement system established by this act

"Contributor" a municipal employe who has accumulated deductions standing to his credit in the member's account of the fund created by this act

"Beneficiary" a person who was a municipal employe but has retired and is receiving a retirement allowance as provided in this act

"Prior Service" all service as a municipal employe completed at the time the municipality by which he is or was employed elected to join the retirement system established by this act

"Superannuation Retirement Age" sixty years of age or upwards

"Final Salary" the average annual salary or compensation earned by a municipal employe and paid by the municipality during the last five years immediately preceding retirement or if not so long employed then the average annual salary or compensation paid during the whole period of such employment In computing final salary if the amount thereof shall exceed four thousand dollars ($4,000) it shall for the purpose of this act be limited to four thousand dollars ($4,000)

"Accumulated Deductions" the total amount deducted from the salary or compensation of the contributor and paid over by the municipality or paid by the municipal employe directly into the retirement fund and credited to the member's account together with regular interest thereon

"Regular Interest" interest at two and one-half percent per annum compounded annually and in case of interest earnings in excess of two and one-half percent shall mean the interest actually earned on investments in any year

"Municipal Annuity" that portion of the retirement allowance derived from contributions made by the municipality

"Member's Annuity" that portion of the retirement allowance derived from the accumulated deductions of the municipal employe

"Retirement Allowance" the municipal annuity plus the member's annuity

"Fund" the Municipal Employes' Retirement Fund created by this act

Section 3 Municipal Employes' Retirement Board A Municipal Employes' Retirement Board is hereby created which shall consist of the Secretary of the Commonwealth who shall be chairman thereof the State Treasurer one member to represent the public to be appointed by the Governor to serve until his successor is appointed and qualified and two municipal employes who are employed by municipalities which have elected to join the retirement system established by this act appointed by the Governor from among nominations made by various associations of county and municipal taxing officials organized under state law each of which associations shall have power to nominate one employe The municipal employe members of the board shall be appointed for terms of two years each and until their successors have been appointed and qualified

Vacancies happening from among municipal employe members shall be filled by the appointment of a successor for a full term of two years

Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and that he will not knowingly violate or wilfully permit to be violated any of the provisions of this act

The secretary and the actuary of the State Employes' Retirement Board shall also be the secretary and actuary of the Municipal Employes' Retirement Board with such additional compensation as may be deemed appropriate by the Municipal Employes' Retirement Board

The Secretary of the Commonwealth shall appoint such additional employes to the staff of employes of the State Employes' Retirement Board as may be deemed necessary to carry on the work required by this act and to fix the salary or compensation of such additional employes

It is the intent of this section that a unified personnel shall be provided for the administrative work of the State Employe's Retirement Board and the Municipal Employes' Retirement Board

Section 4 General Powers of Board The board shall

(a) Keep in convenient form such data as shall be deemed necessary for actuarial valuation purposes

(b) From time to time through its actuary make an actuarial investigation into the mortality and service experience of the contributors and beneficiaries and of the various accounts created by this act

(c) Adopt for the retirement system one or more mortality tables and such other tables as shall be deemed necessary

(d) Certify the rates of deduction from salary necessary to pay the member's annuities

(e) Certify annually the amount of appropriation which each municipality shall pay into the retirement fund which amounts shall be based on estimates furnished by the actuary and shall be credited to the municipal account of the fund

(f) Prepare and publish annually a financial statement showing the condition of the fund and the various accounts thereof and setting forth such other facts recommendations and data as may be of use in the advancement of knowledge concerning the Municipal Employes' Retirement System and furnish a copy thereof to each municipality which has joined the retirement system and to such person as may request copies thereof

(g) Keep a record of all its proceedings which shall be open to inspection by the public

(h) From time to time adopt such rules and regulations not inconsistent with this act for the administration of the provisions of this act for the administration of the fund created by this act and the several accounts thereof and for the transaction of the business of the board

(i) Enter into such agreement with the State Employes' Retirement Board as may be deemed necessary to coordinate the work of the board and the State Employes' Retirement Board

(j) Perform such other functions as are required for the execution of the provisions of this act

Section 5 Preliminary Actuarial Investigation Tables and Rates As soon as may be after the passage of this act the actuary of the State Employes' Retirement Board shall make an investigation of the mortality service and salary experience of municipal employes as he shall deem necessary for the purpose of determining upon tentative tables and municipal contributions in order that the retirement system contemplated by this act may be established On the basis of such investigation and recommendation the State Employes' Retirement Board shall adopt such tentative tables and certify such tentative rates for the purposes of giving municipalities and municipal employes estimates of the costs involved in electing to join the retirement system established by this act Such tables may thereafter be accepted or be changed by the board as experience may require

Section 6 Information to Municipalities by State Employes' Retirement Board The State Employes' Retirement Board shall with the aid of its actuary prepare a circular of information relative to the retirement system established by this act showing estimates of the costs thereof to municipalities and municipal employes the benefits to be derived therefrom the methods of administration by the board and the municipality and such other information as may be deemed appropriate Such circular of information shall be furnished to municipalities upon request

The cost and expenses incident to such circular of information including the compensation of the actuary in making the preliminary actuarial investigation required by the preceding section to be fixed by the State Employes' Retirement Board shall be paid from the appropriation made by this act

Section 7 Election by Municipalities to Join Retirement System Any municipality may elect by ordinance or resolution adopted by the tax levying body to join the retirement syste mestablished by this act In the case of townships of the second class no such resolution shall be adopted except by unanimous vote of all three supervisors

Any municipality by action of its tax levying body may and upon petition of electors equal to at least ten per centum of the registered electors of the municipality shall submit the question of joining such retirement system to the voters of the municipality at any municipal or general election in the same manner as other questions are submitted to the electors under the Election Code of the Commonwealth If the majority of the electors voting on the question vote in favor thereof the tax levying body shall adopt an ordinance or resolution electing to join such system If the electors vote against joining the system then no further action shall be taken in the municipality for a period of two years

A duly certified copy of any such ordinance or resolution electing to join the retirement system shall be filed with the State Employes' Retirement Board until the board created by this act has been established and thereafter with the board created by this act

Section 8 Procedure to Set Up of Municipal Employes' Retirement System Municipalities Joining Thereafter Right to Withdraw Denied When twenty-five or more municipalities having an aggregate of at least two hundred and fifty eligible municipal employes have by ordinance or resolution elected to join the Municipal Employes' Retirement System the State Employes' Retirement Board shall so notify the Governor and the Municipal Employes' Retirement Board created by this act shall be forthwith constituted

The board shall fix a time when the Municipal Employes' Retirement System shall become effective and shall advise the joining municipalities of the manner and times in which the payments by the municipalities on their respective accounts and on account of member's pay roll deductions shall be made and other details of the system shall be carried out It shall also work out all details in respect to the transfer of existing local retirement and pension funds in accordance with this act

The date so fixed for the retirement system to become effective shall be deemed to be the date when the municipalities have joined the system

After the system has been established any other municipality may at any time elect to join the system in the manner provided by this act and in such cases the board shall fix a time when the system shall become effective as to such municipality which shall be deemed the date when it joined the system

No municipality after it has joined the retirement system shall be permitted to withdraw therefrom and in case of failure to make payments as required by this act the board may recover any sums due to the fund by suit at law or other appropriate remedy

Section 9 Compulsory and Optional Membership If a municipality elects to join the retirement system established by this act then each officer other than elected officers and each employe thereof except such as are exempted herafter under section seventeen paid on a yearly or monthly basis shall be required to become a member of the retirement system Elected officers of the municipality and employes paid on a per diem basis shall have the privilege of becoming members of said municipality and employees paid on a per diem basis system An election to join the system must be made withi none year after the municipality elected to join the system or within one year after the officer or per diem employe first entered the service of the municipality Officers and employes paid on a fee basis shall not be eligible to join the retirement system

Section 10 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the municipality prior to the time the municipality joined the retirement system established by this act whether or not such service was continuous

As soon as practicable the board shall issue to each original member a certificate certifying the aggregate length of service rendered to the municipality prior to the time it joined the retirement system

Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the member

The time during which a member was absent from service without pay shall not be counted in computing the service of a contributor in his certificate or upon retirement unless specially allowed by the municipality with the approval of the board

Section 11 Retirement Funds and Accounts The Municipal Employes' Retirement Fund shall consist of the money received from municipalities arising from contributions by municipalities and from pay roll deductions from salary or compensation of members and other contributions made by members through the municipality to the retirement system from transfers made from municipal retirement or pension systems and credited as provided in this act and interest earnings thereon

Contributions made by municipalities shall be credited to the municipal account of said fund and pay roll deductions and other contributions of municipal employes shall be credited to the member's account of said fund Transfers made from municipal retirement or pension systems shall be credited as provided in this act

The board shall keep separate accounts for each municipality and its municipal employes Each municipality and the municipal employes thereof shall be liable to the board for the amount of contributions required to cover the cost of the retirement allowances and other benefits payable to such employes

Section 12 Custody of and Payments from Fund All moneys and securities in the fund created by this act shall be placed in the custody of the State Treasurer for safe keeping and all payments on account of retirement allowances shall be made on requisition signed by the chairman and secretary of the board

Section 13 Management and Investment of Fund Interest Credits The members of the board shall be trustees of the fund created by this act and shall have the exclusive management of said fund with full power to invest the moneys therein subject to the terms conditions limitations and restrictions imposed by law upon investments made by the State Employes' Retirement Board The said trustees shall have power to hold purchase sell assign transfer and dispose of any securities and investments in said fund as well as the proceeds of such investments and of the moneys belonging to such fund

The board shall annually allow regular interest to the credit of each account including each contributor's accounts

Section 14 Determination of Municipal Liability The actuary shall as soon as may be determine the present value of the liability of each municipality for the prior service credits to its original members and shall establish an amount payable annually over a period not exceeding twenty-five years through which payments such prior service liability may be funded Each municipality shall have the option to spread the payment of such prior service liability over such period of years or in lieu thereof to make payments on account of such liability annually in amounts sufficient to pay the prior service liability of the municipal annuity of each beneficiary payable during such year

The actuary shall also determine from time to time the amount which shall be contributed annually by each municipality for service credits of original and new members subsequent to the time the municipality joined the retirement system in order that all future service liability may be funded on an actuarial basis

The amounts so determined by the actuary may be expressed in a percentage of the pay roll of the municipality covering its contributing members

The cost of making the valuations required by this section and in the transfer of any existing pension system of any municipality shall be paid by the Commonwealth from appropriations made for such purpose

Section 15 Municipal Guarantee The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the municipal and member's annuities as to any municipality in accordance with this act are hereby made the obligation of that municipality

Section 16 Annual Estimates to Municipalities Administrative Expenses The board shall prepare and submit to each municipality on or before the first day of the fourth month preceding the commencing of its fiscal year an itemized estimate of the amounts necessary to be appropriated by the municipality to complete the payments of the obligations of the municipality to the fund during the next fiscal year The costs of administering this act including the additional compensation of the actuary and the secretary the salary and compensation of additional employes required postage supplies telephone telegraph printing and traveling and incidental expenses shall be paid by the Commonwealth from appropriations made for such purposes

The amounts required to be paid by municipalities under the provisions of this act shall be paid out of moneys raised annually by general taxation and in the case of townships of the second class out of taxes levied for road purposes

Section 17 Existing Local Retirement Systems Where a municipality elects to join the retirement system established by this act and is then maintaining a retirement or pension system or systems covering its municipal employes in whole or in part those employes so covered shall not become members of the retirement system established by this act unless at the time the municipality elects to join the system the members of such existing retirement or pension system shall by a seventy-five per centum vote of all the members thereof elect to be covered by the retirement system establishd by this act At any time thereafter within a period of three years after the municipality has elected to join the system but not thereafter the members of an existing retirement or pension system may in like manner elect to join the system established by this act In any such case provision may be made for the transfer of the moneys and securities in its retirement or pension fund or funds in whole or in part to the fund established by this act Securities so transferred shall be only those acceptable to the board Securities not so acceptable shall be converted into cash and said cash transferred to the fund created by this act In any such transfer provision shall be made to credit to each member at least the amount he has paid into the retirement or pension system of the municipality which moneys shall be credited against the prior service contributions of such member or a municipality may turn over to the retirement system created by this act any existing local pension system on a completely funded basis as to pensioners and pension credits of members related to prior service to the date of transfer or on a partailly funded basis if the municipality either pays currently into the retirement system sufficient to cover its current share of unfunded pensions or shall agree to make such payments directly to beneficiaries as payments fall due

No liability on account of retirement allowances or pensions being paid from any retirement or pension fund of the municipality shall attach against the retirement fund created by this act except as provided in the agreement making a transfer of an existing system in accordance with this section The liability to continue payment of pensions not so transferred shall attach against the municipality which shall annually make appropriations from its tax revenues sufficient to pay the same In cases where employes covered by an existing retirement or pension system elect to join the system created by this act the election to join shall be deemed to have been made at the time the municipality elected to join the system and the liabilities of the municipality shall be fixed accordingly

Section 18 Contributions by Members Consolidation of Credits Change of Employment Each member of the retirement system shall be required to contribute to the fund such per centum of his actual salary or compensation including fees where paid in part on a fee basis as shall be computed by the actuary to be approximately sufficient to procure for him on a superannuation retirement age a member's annuity of one one-hundredth of his final salary for each year of service after the time the municipality by which he is employed joined the retirement system which contributions shall be paid into the fund by the municipality through pay roll deductions in such manner and at such times as the board may by rule and regulation determine

In order to increase his member's annuity each member shall also have the option to make contributions for his prior service Such contributions for prior service may be anticipated in whole or in part at the time the municipality joins the retirement system or payment thereof or of such part thereof as is not anticipated may be spread over a period of time by increasing the pay roll deduction of the member by at least one-third Where a member elects to contribute on account of his prior service his rate of contribution shall be calculated as of his age at the time he first entered the service of the municipality

If the rate of contribution so computed shall exceed seven per centum of his earnable salary the member may request the board to be permitted to contribute at a lesser rate and if the board finds that there are reasons which justify such reduction then there shall be deducted seven per centum of his earnable salary

Where a municipal employe is employed by more than one municipality he shall be required to make contributions on account of the salary paid by each municipality In such cases the board shall provide for the consolidation of credits of the contributor and upon his retirement for a consolidated retirement allowance

Where a contributor leaves the employ of a municipality which is a member of the system and enters into the employ of another municipality which is also a member of the system his service credits shall remain unimpaired but in such cases the unpaid municipal liability for prior service shall be prorated by the board between the municipalities on an equitable basis

Section 19 Withdrawal Return to Service Death in Service (a) Should a contributor before reaching superannuation retirement age for any reason cease to be a municipal employe he shall be paid by the board the full amount of the accumulated deductions standing to his credit in the member's account unless he is entitled to a retirement allowance for retirement not voluntarily and elects to take such retirement allowance Should such former contributor thereafter return to the service of the same municipality and restore to the fund in such manner as may be agreed upon by such person and the board his withdrawn accumulated deductions as they were at the time of his separation from service his annuity rights as they existed at the time of separation from service shall be restored and his obligations as a member shall begin again The rate of contribution of such returning member shall be the same as it was at the time he separated from service

(b) Should a person who has been retired on a retirement allowance under this act return to service in the same municipality his retirement allowance shall cease and all his rights as they existed at the time of retirement shall be restored and such person may by further service and further pay roll deductions add to such rights on account of future retirement

(c) Should a contributor die while in service his accumulated deductions shall be paid to his estate or to such person if living as he shall have designated in writing filed with the board as his beneficiary In case any contributor has failed to designate a beneficiary or if the named beneficiary has predeceased the member and no such successor beneficiary has been named and upon the death in service shall have less than one hundred dollars in accumulated deductions standing to his credit the board may if letters testamentary or of administration have not been taken out on his estate within six months after death pay such accumulated deduction on the claim of the undertaker or to any person or municipality which shall have paid the claim of the undertaker

Section 20 Retirement for Superannuation Retirement for superannuation shall be as follows

(a) Any contributor who has reached superannuation retirement age may and any contributor who has reached the age of seventy shall retire for superannuation by filing with the board a written statement duly attested setting forth on what date he desires to be retired Said application shall make the superannuation retirement allowance effective on the date so specified if such application was filed in the offices of the board or deposited in the United States mail addressed to the board before the date specified in the application and before the death of the contributor But the date so specified in the application shall not be more than thirty days from the date of filing or the date the application was deposited in the mail

(b) On retirement for superannuation a contributor shall be entitled to a retirement allowance throughout his life which shall consist of

(1) A member's annuity which shall be the actuarial equivalent of his accumulated deductions and

(2) A municipal annuity which shall be equal to one one-hundredth of his final salary (not exceeding however in any event a final salary of four thousand dollars ($4000)) for each year of total service including prior service

(c) In no event shall the municipal annuity exceed fifty per centum of the final salary

Section 21 Options on Superannuation Retirement At the time of his superannuation retirement any contributor may elect to receive his benefits in a retirement allowance payable throughout his life which shall be known as a single life annuity or instead he may elect to receive the actuarial equivalent at that time of his member's annuity and municipal annuity or retirement allowance in a lesser sum payable throughout life with provisions that

(a) Option 1 If he shall die before receiving in payments the present value of his member's annuity municipal annuity or retirement allowance as it was at the time of his retirement the balance shall be paid to his legal representative or to or in trust for such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

(b) Option 2 Upon his death his member's annuity municipal annuity or retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

(c) Option 3 Upon his death one-half of his member's annuity municipal annuity or retirement allowance shall be continued throughout the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

Section 22 Retirement Not Voluntary Should a member be discontinued from service not voluntarily after having completed ten years of total service or voluntarily after having completed twenty-five years of total service but in either event before reaching superannuation retirement age he shall be paid as he may elect as follows

(a) The full amount of the accumulated deductions standing to his credit in the member's account of the fund or

(b) A member's annuity of equivalent actuarial value to his accumulated deductions and in addition a municipal annuity having a value equal to the present value of a municipal annuity beginning at superannuation retirement age calculated in accordance with the tables adopted by the board for such purpose and with the privileges of the same options provided for in this act with respect to retirement allowances for superannuation retirement

Section 23 Disability Retirement (a) After a contributor has had five or more years of service as a member he may upon application or on the application of one acting in his behalf or upon application of a head of the department of the municipality by which he is employed be retired by the board on a disability allowance if he is under superannuation retirement age and on a superannuation retirement allowance if he has attained or passed such age if the physician designated by the board after medical examination of the contributor made at the place of residence of the contributor or at a place mutually agreed upon shall certify to the board that the contributor is physically or mentally incapacitated for the performance of duty and that said contributor ought to be retired

(b) Once every year the board may require any disability annuitant while still under superannuation retirement age to undergo medical examination by a physician designated by the board Such examination shall be made at the place of residence of the beneficiary or other place mutually agreed upon Should the physician report and certify to the board that such disability beneficiary is no longer physically or mentally incapacitated for the performance of duty and is able to engage in a gainful occupation then his municipal annuity shall be discontinued and in lieu thereof a municipal annuity shall at that time be granted as if such person had been retired not voluntarily if such person shall have had ten or more years of service as a member

(c) Should a disability annuitant while under superannuation retirement age refuse to submit to at least one medical examination in any year by a physician designated by the board his municipal annuity for disability shall be discontinued until the withdrawal of such refusal and should such refusal continue for one year then all his rights in and to any municipal annuity for disability or for retirement allowance not voluntarily provided for by this act shall be forfeited

(d) On retirement for disability a contributor shall receive a retirement allowance which shall consist of

(1) A member's annuity which shall be the actuarial equivalent of his accumulated deductions and

(2) A municipal annuity which together with the member's annuity shall be sufficient to produce a retirement allowance of thirty per centum of his final salary

(e) Any contributor entitled to retire for disability may in lieu of such retirement if he has ten or more years of total service elect to retire not voluntarily under the provisions of this act

(f) Should a disability annuitant die before the total disability retirement allowance received shall be at least equal to the amount of his accumulated deductions at the time of disability retirement then the board shall pay to the named beneficiary if living or if the beneficiary predeceased the annuitant or no beneficiary was named then to the annuitant's estate an amount equal to the difference between such total retirement allowance received and the annuitant's accumulated deductions and if such difference is less than one hundred dollars ($100) and no letters have been taken out on the estate within six months after death then such difference may be paid to the undertaker or to any person or municipality who or which shall have paid the claim of the undertaker

Section 24 Monthly Payments Any retirement allowance created under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed except where specifically otherwise provided by this act

Section 25 Exemption of Retirement Allowance The retirement allowance and the contributions of members to the fund all contributions returned to contributors under the provisions of this act and the moneys in the fund created by this act shall be exempt from any state or municipal tax and from any levy sale garnishment attachment or other process whatsoever and shall be unassignable except to a benificiary.

Section 26 Appropriation The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of State for the use of the State Employes' Retirement Board and the Municipal Employes' Retirement Board for the payment of the costs and expenses incident to the work of setting up the Municipal Employes' Retirement System created by this act for the payment of the compensation of the actuary in performing the duties required by this act for additional compensation of the secretary the compensation of additional employes required and for postage telephone telegraph supplies printing and traveling and other incidental expenses

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler.
Mallery,
McGinnis.
McQuiddy,
Ruth,
Scarlett,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,

NAYS—2

Shapiro,
Ealy,
Pres. Pro. Tem.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. WADE, Mr. President, I move that Senate Bill No. 191, on final passage, entitled:

An Act authorizing guardians and trustees to purchase life endowment or annuity contracts in companies approved and duly authorized to carry on such business in the Commonwealth of Pennsylvania.

be recommitted to the Committee on Insurance. The reason for this, Mr. President, is that I am advised by those learned in the law that this same idea could be much better incorporated in the fiduciaries act.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF HOUSE BILL No. 388

Mr. WADE. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 388, entitled:

An Act to amend section four hundred and twenty A of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by giving minors of the age of eighteen years and upwards full power and authority to make contracts of insurance or annuity with any life insurance company authorized to do business in the Commonwealth of Pennsylvania and to exercise all the powers rights and privileges of ownership conferred on them under the terms of any and all such contracts applied for or issued to them regardless of whether such contracts were issued before or after such minors reached the age of eighteen years with the same force and effect as if they were of age.

passed third reading.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. WADE. Mr. President, I voted "aye."

Mr. FARRELL. Mr. President, I second the motion.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. FARRELL. Mr. President, I voted "aye."

The motion was agreed to.

On the question,

Will the Senate agree to the bill on third reading?

Mr. WADE. Mr. President, I ask unanimous consent to offer amendments.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend sec. 1 (Sec. 420A) page 3, lines 10, 11 and 12, by striking out the words "regardless of whether such contracts were issued before or after such minors reached the age of eighteen years"; Amend title, page 2, lines 1, 5, 6 and 7 of title, by striking out the words: "regardless of whether such contracts were issued before or after such minors reached the age of eighteen years."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The Senate resumed the consideration of House Bill No. 694, entitled:

An Act to amend sections one five seven nine and twelve and to repeal section six of the act approved the twenty-seventh day of May one thousand nine hundred and thirty-seven (P. L. 901) entitled "An act for the protection of producers of farm produce providing for the licensing the bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties" by changing definitions the period of the license and the fee therefor and the contents of records eliminating the requirement for a bond and adding to the reasons for refusing licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and five of the act approved the twenty-seventh day of May one thousand nine hundred and thirty-seven (P. L. 901) entitled "An act for the protection of producers of farm produce providing for the licensing the bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties" are hereby amended to read as follows

Section 1 Be it enacted &c That the following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(a) "Dealer in farm produce" means any person association copartnership or corporation engaged in the business of buying receiving selling exchanging negotiating or soliciting the sale resale exchange or transfer of any farm produce [and includes every person association copartnership or corporation receiving or purchasing farm produce] from the producer on consignment or on a net return basis

(b) "Department" means the Department of Agriculture of this Commonwealth

(c) "Farm produce" includes all agricultural horticultural vegetable fruit and floriculture products of the soil poultry eggs nuts flowers and honey but shall not include timber products tea coffee [or] livestock wool milk or milk products

(d) "Net return basis" means a purchase for sale of farm produce from a producer [or shipper] at an unfixed or unstated price at the time the produce is shipped from the point of origin and it shall include all purchases made "at the market price" ["at net worth"] and on similar terms which indicate that the buyer is the final arbiter of the price to be paid

(e) "On consignment" means [any receiving or sale of farm produce for the account of a person other than the seller wherein the seller acts as the agent for the owner] a sending transfer or delivery of farm produce by a producer to a dealer in farm produce for the purpose of sale upon a commission basis

(f) "Producer" means any producer of farm produce in this Commonwealth

Section 5 Unless the department refuses the application on one or more of the grounds hereinafter provided it shall issue to such applicant upon the payment of proper fees [and the execution and delivery of a bond as hereinafter provided] a license entitling the applicant to conduct business as a dealer in farm produce at each place named in the application Such license shall be in force from the date issued until and including the thirty-first day of December [in the] of the same year [next following] The fee for such license shall be [ten dollars ($10.00)] five dollars ($5.00) for each place of business which the applicant [desires to conduct and] conducts or names in the application

Section 2 Section six of said act is hereby repealed

Section 3 Sections seven nine and twelve of said act are hereby amended to read as follows

Section 7 Every dealer in farm produce shall upon the receipt of farm produce for which payment is not made on delivery and as he handles and disposes of the same make and preserve for at least two years a record thereof specifying the name and address of the producer consigning or shipping such farm produce the date of receipt the kind and quality of such produce the amount of goods sold the name and address of the purchaser except that where sales total less than five dollars ($5.00) in value such sales may be made to order of "cash" the selling price thereof and the items of expenses connected therewith An "account sales" together with payment in settlement for said shipment shall be mailed to the producer within forty-eight hours after the sale of such farm produce unless otherwise agreed in writing

Section 9 The department may decline to grant a license or may suspend or revoke a license already granted if it is satisfied that the applicant or licensee has either

(1) Suffered a money judgment to be entered against him upon which execution has been returned unsatisfied or

(2) Made false charges for handling or services rendered or

(3) Failed to account promptly and properly or to make settlements with any producer or

(4) Made any false statement or statements as to condition quality or quantity of goods received or held for sale when he could have ascertained the true condition quality or quantity by reasonable inspection or

(5) Made any false or misleading statement or statements as to market conditions or service rendered or

(6) Been guilty of a fraud in the [attempt to produce] application for or the procurement or the renewal of a license or

(7) Directly or indirectly purchased farm produce received on consignment or on a net return basis for his own account without prior authority from the producer consigning the same or without notifying such producer

Section 12 Any dealer in farm produce violating the provisions of section three of this act or interfering with an agent of the department in the enforcement of this act shall for the first [or second] offense upon conviction in a summary proceedings be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than three hundred dollars ($300.00) and costs of prosecution and in default of payment of such fine and costs shall be sentenced to undergo imprisonment in the county jail for a period not exceeding sixty (60) days and for a [third] second or subsequent offense shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000) or to undergo imprisonment not exceeding one year or both in the discretion of the court

Section 4 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

The PRESIDENT. The gentleman from Westmoreland may proceed.

Mr. DENT. Yesterday, Mr. President, I asked that this bill go over in order, together with House Bills Nos. 695, 696 and 697, because I had been delegated by the Democratic caucus to study them.

I now wish to announce that after looking the bills over I find that they are very good bills and ought to be enacted.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON THIRD READING

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 18, on third reading, entitled:

An Act relating to parole; abolishing the Pennsylvania Board of Parole; reestablishing the jurisdiction, powers and duties of the courts and of the Board of Pardons with respect to parole; and authorizing the employment by the Attorney General of a Supervisor of Paroles and field agents.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, in absence of the sponsor, I ask unanimous consent that Senate Bill No. 71, on third reading, entitled:

A Joint Resolution proposing an amendment to section four, article two of the Constitution of the Commonwealth of Pennsylvania, providing for annual sessions of the General Assembly, salary of members and an annual budget

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 177, entitled:

An Act to amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties." providing for the payment of contributions by employers in accordance with an experience rating system; and providing for and regulating such experience rating system and the terms and procedure to effectuate the same

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, in connection with this bill, I should like to interrogate the sponsor of the bill, because I think this information ought to be furnished to us so that we can study the matter over the weekend.

The PRESIDENT PRO TEMPORE. Will the sponsor of this bill, the gentleman from Lancaster, Mr. Homsher, permit himself to be interrogated?

Mr. HOMSHER. I will, Mr. President.

Mr. SHAPIRO. Mr. President, it is my interpretation of page 3 of this bill, section 4, at the bottom of the page, that if this bill means what I take it to mean, there will be refunds to manufacturers running into millions of dollars on taxes paid by them under the unemployment compensation law for prior years, that is, years prior to 1942-1941-1940.

Mr. HOMSHER. No, Mr. President, there will be no refunds possible to any manufacturer under this bill, as it simply sets up a method by which his contributions will be calculated in the future.

Mr. SHAPIRO. May I refer the Senator from Lancaster to paragraph 4, which reads: "A basic rate of two and seven tenths per centum with respect to employment occurring during the year 1944 and for each calendar year thereafter"—that is the basic rate set up within the provisions of this section—"but the rate of contribution of each employer who has paid contributions under this act for at least four full calendar years whether prior or subsequent to the adoption of this amendment shall be subject to adjustment for each such calendar year between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum."

I construe that to mean that for the four calendar years prior to the adoption of this act, every manufacturer, according to this bill, may come in and ask for adjustment, which in my opinion means repayment of any moneys paid during those four years, of the difference between one per cent and two and seven-tenths per cent, according to the record which he himself might have established.

If it is not intended to do that, then that ought to be cleared up, because at first reading it gave me that impression, and I read it over five or six times on five or six separate days, and today I have come to the conclusion that it is subject to that interpretation.

Mr. HOMSHER. Mr. President, I believe the gentleman from Philadelphia is in error, because this simply sets up the machinery for the operation and the carrying out of the provisions of the bill in the future.

Mr. SHAPIRO. Mr. President, this section as I have read it—and I very seriously call it to the attention of the Senate—has nothing to do with the setting up of methods—set up as a system whereby there shall be an adjustment for four years, whether it be prior to or subsequent to the act, and the method of obtaining the adjustment is set up in the supplementary procedural provisions of this bill. It is for that reason I call it to the attention of the members of the Senate today.

RECONSIDERATION OF SENATE BILL No. 177

Mr. HOMSHER. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 177 passed second reading.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. HOMSHER. Mr. President, I voted "aye."

Mr. FARELL. Mr. President, I second the motion.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. FARRELL. Mr. President, I voted "aye."

The motion was agreed to.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HOMSHER offered the following amendment:

Amend Senate Bill No. 177, printer's No. 178, by adding (k) on page 10 after line 24: (k) The provisions of this Act shall become effective immediately upon final enactment, and shall remain in effect for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the legislature which meets after the President of the United States declares that the present state of war no longer exists.

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 193, entitled:

An Act to amend Section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" permitting persons under the age of eighteen years to be present in bowling alleys

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" is hereby amended to read as follows

Section 651 Pool and Billiard Rooms and Bowling Alleys Whoever being a licensed keeper proprietor owner or superintendent of any public pool rooms billiard room bowling-saloon or tenpin alley permits such place to remain open between the hours of one o'clock ante meridian and six o'clock ante meridian of any secular day or on the first day of the week commonly called the Sabbath Day or knowingly allows or permits any person under the age of eighteen (18) years to be present [therein] in any public pool-room or billiard room upon conviction thereof in a summary proceeding shall be sentenced to pay a fine not exceeding ten dollars ($10) and in default of the payment of such fine and costs shall be imprisoned not exceeding thirty (30) days

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Chapman
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James.
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 211, entitled:

An Act to further amend section nine hundred eight subsection A of section one thousand six subsection A of section one thousand twelve and subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments, commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the amount and maintenance of reserve funds by banks and banks and trust companies and authorizing certain loans by banks and banks and trust companies which are guaranteed against loss by certain Federal agencies investments in second liens in cases and under conditions herein specified and further providing for the powers and limitations upon powers of corporations with fiduciary powers.

On the question,

Will the Senate agree to the bill?

Mr. BECKER. Mr. President, Senate Bill No. 211 contains amendments to the Banking Code of 1933, four of them, as a matter of fact. One of these amendments, which provides that a bank or a bank and trust company under certain circumstances may invest in certain liens where the same are second to a first lien, held by a bank, has been objectionable and it is the desire of the Banking Department, sponsoring this bill, that the objection be met by eliminating this feature from the bill.

For this reason, Mr. President, I ask unanimous consent to offer the following amendments:

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend the title, page 1, line 2, by striking out after the bracket the following: "subsection A of"; Amend the title, page 1, line 3, by striking out at the beginning of the line the following: "section one thousand twelve": Amend the title, page 2, by striking out lines 13, 14, 15, 16 and 17; Amend the title, page 2, line 18, by striking out at the beginning of the line the following: "ditions herein specified and"; Amend the title, page 2, line 18, by inserting before the word "further" the word "by"; Amend the title, page 2, line 19, by inserting after the word "powers" the following: "and duties"; Amend the title, page 2, line 20, by striking out the entire line and inserting in lieu thereof the following: "and persons authorized to engage in a banking or fiduciary business or both"; Amend Section 1, page 3, line 25, by striking out after the word "Board" the following: "not exceeding"; Amend Section 1, page 3, line 25, by inserting before the word "however" the word: "provided"; Amend Section 1, page 3, line 25, by inserting before the word "fifteen" the following: "that such reserve fund shall not be required to be established and maintained in an amount exceeding"; Amend Section 3, page 9, by striking out lines 19 to 28, inclusive; Amend Secton 3, page 10, by striking out lines 1 to 29, inclusive; Amend Section 3, page 11, by striking out lines 1 to 28, inclusive; Amend Section 3, page 12, by striking out lines 1 to 10, inclusive; Amend Section 4, page 12, line 11, by striking out after the word "Section" the numeral 4 and inserting in lieu thereof the numeral "3"; Amend Section 5, page 14, line 25, by striking out after the word "Section" the numeral 5 and inserting in lieu thereof the numeral "4."

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

BILLS OVER IN ORDER

Mr. BECKER. Mr. President, I ask unanimous consent that Senate Bill No. 268, on third reading, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic, weak-minded person, presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. FARRELL. Mr. President, I ask unanimous consent that Senate Bill No. 304, on third reading, entitled:

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. FARRELL. Mr. President, I ask unanimous consent that Senate Bill No. 305, on third reading, entitled:

An Act to further amend the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspector of registration and other appointee of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controller registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing certain provisions of said act relating to removal notices and eliminating electors' rights to file removal notices in certain cases.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. WADE. Mr. President, I ask unanimous consent that Senate Bill No. 311, on third reading, entitled:

An Act relating to appointments reclassifications and promotions under any civil service system of this Commonwealth since March sixteenth one thousand nine hundred forty-two until a period after the cessation of hostilities making such appointments of war duration providing for examinations at the end of such period suspending powers of the Personnel Director of the State Civil Service Commission and conferring powers on the State Civil Service Commission

go over in its order for the moment until later in the day.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 314, on third reading, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by changing the provisions for supervisors of special education in counties employing fewer than five hundred and fifty teachers.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on third reading, entitled:

An Act regulating commercial strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, including issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 404, entitled:

An Act to amend section one of the act approved the twenty-fourth day of April one thousand nine hundred thirty-one (P. L. 48) entitled "An act requiring the recording of certain written agreements pertaining to real property and prescribing the effect thereof as to subsequent purchasers mortgagees and judgment creditors of the parties thereto" permitting written agreements pertaining to real property be acknowledged by the sellers or grantors therein

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section one of the act approved the twenty-fourth day of April one thousand nine hundred thirty-one (P. L. 48) entitled "An act requiring the recording of certain written agreements pertaining to real property and prescribing the effect thereof as to subsequent purchasers mortgagees and judgment creditors of the parties thereto" is hereby amended to read as follows

Section 1 Be it enacted &c That all agreements in writing relating to real property situate in this Commonwealth by the terms whereof the parties executing the same do grant bargain sell or convey any rights or privileges of a permanent nature pertaining to such real property or do release the grantee or vendee thereunder against damages which may be inflicted upon such real property at some future time [shall] may be acknowledged according to law by the [parties thereto] sellers or grantors therein or provided in the manner provided by law and [shall] may be recorded in the office for the recording of deeds in the county or counties wherein such real property is situate Provided however that all agreements heretofore acknowledged solely by the sellers or grantors therein are hereby validated

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Stevenson,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. JAMES. Mr. President, I ask unanimous consent that Senate Bill No. 422, on third reading, entitled:

An Act to further amend section one of the act, approved the sixteenth day of April, one thousand nine hundred seven (P. L. 92), entitled as amended "An act defining the duty of coroners, where death is sudden or violent, or is of a suspicious nature and character, and of police, and health authorities, in this Commonwealth, in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner, but where it appears the cause of death is not surrounded by suspicious circumstances," by providing that investigations of deaths caused by accidents shall be made by the coroner of the county in which the accident causing death occurred.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 487, entitled:

An Act to amend section three of the act approved the third day of May one thousand nine hundred and nine (P. L. 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" by providing for granting of warrants and rights to certain additional lands

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the third day of May one thousand nine hundred and nine (P. L. 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" is hereby amended to read as follows

Section 3 That on and after the passage of this act there shall be no warrants or other office rights granted in any of the counties of the Commonwealth for lands in the beds of navigable rivers or in beds of streams which are by law declared public highways except for such lands as intervene between former islands for which patents have been granted and the former mainland of navigable rivers where such intervening lands form an obstruction to navigation and are without the ordinary low water lines of such navigable rivers as shown by the certificate of the Secretary of War of the United States

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Stevenson,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson. T. B.,
Woodring,

Deitrick,
Dent,
Jaspan,
Jones,
Stiefel,
Tallman,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 551, entitled:

An Act to amend section four of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of license fees for permission to conduct the same" by forbidding the continuation of the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale

The General Assembly of the Commonweath of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of licenses fees for permission to conduct the same" is hereby amended to read as follows

Section 4 Any person conducting or being responsible for any sale as set forth in section one hereof without first having obtained the license or any person making or being responsible for any misrepresentation in connection with the goods so offered for sale or sold or continuing the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not more than one hundred dollars ($100) or to imprisonment for a term of not exceeding thirty days The right to appeal from such conviction shall exist as in other cases of summary convictions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Stevenson,
Stiefel,
Tallman.
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 695, entitled:

An Act to repeal the act approved the twenty-third day of June one thousand eight hundred ninety-seven (P. L. 202) entitled "An act to prevent fraud and deception in the manufacture and sale of cheese and defining what shall constitute the various grades of cheese providing rules and regulations for marking and branding the same providing for the enforcement of this act prescribing penalties for its violation"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-third day of June one thousand eight hundred ninety-seven (P. L. 202) entitled "An act to prevent fraud and deception in the manufacture and sale of cheese and defining what shall constitute the various grades of cheese providing rules and regulations for marking and branding the same providing for the enforcement of this act prescribing penalties for its violation" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent.
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stiefel,
Tallman,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 696, on third reading, entitled:

An Act to repeal the act approved the eighteenth day of June one thousand eight hundred ninety-seven (P. L. 168) entitled "An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standard to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same."

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 697, entitled:

An Act to amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 650) entitled "An act requiring persons associations partnerships and corporations and their agents herein defined as dealers and brokers engaging in the business of buying receiving selling exchanging negotiating or soliciting the sale resale exchange or transfer of certain domestic animals to be licensed by the Department of Agriculture providing for the revocation of such licenses imposing certain duties on such dealers and brokers and their agents conferring powers on said department and providing penalties" by changing the definition of "dealer"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 650) entitled "An act requiring persons associations partnerships and corporations and their agents herein defined as dealers and brokers engaging in the business of buying receiving selling exchanging negotiating or soliciting the sale resale exchange or transfer of certain domestic animals to be licensed by the Department of Agriculture providing for the revocation of such licenses imposing certain duties on such dealers and brokers and their agents conferring powers on said department and providing penalties" is hereby amended to read as follows

Section 1 Be it enacted etc. That

(a) The word "department" as used in this act shall mean the Department of Agriculture

(b) The word "animals" as used in this act shall mean and include horses mules bulls steers oxen cows heifers calves swine sheep and goats

(c) The word "dealer" or "broker' as used in this act shall mean any person copartnership association or corporation engaged in the business of buying receiving selling exchanging negotiating or soliciting the sale resale exchange or transfer of any animals but shall not be construed to include (a) any duly incorporated agricultural cooperative association in its dealings with its members or (b) [any person association copartnership or corporation who or which does not handle in the aggregate more than one hundred animals in any one license year or (c)] any person copartnership association or corporation who or which by dispersal sale is permanently discontinuing the business of dairying breeding raising or feeding animals or [(d)] (c) any butcher or packer who receives animals exclusively for immediate slaughter or [(e)] (d) that part of the business of a farmer which consists of buying or receiving animals for grazing and feeding purposes and the sale or disposal of such animals after the grazing and feeding period or the sale by a farmer of any surplus or unprofitable animals

(d) The term "agent" as used in this act shall mean any person firm association partnership or corporation buying or receiving or soliciting or negotiating the sale of animals for or on behalf of any dealer or broker

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Taylor,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Crider,
Crowe,
Deitrick,
Dent,
Homsher,
James,
Jaspan,
Jones,
Stevenson,
Stiefel,
Tallman,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS— 1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORTS FROM COMMITTEES

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. KEPHART, from the Committee on Agriculture, reported as amended, House Bill No. 686, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties

Mr. HALUSKA. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HALUSKA, from the Committee on Labor and Industry reported as committed, Senate Bill No. 345, entitled:

An Act to further amend the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; Providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," further regulating the right to, and procedure on, appeals to court.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and laid on the table:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 135, PRINTER'S No. 51

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 135, Printer's No. 51, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN

NOMINATION BY THE GOVERNOR

He also presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

ASSOCIATE JUDGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Van C. Decker, Nicholson, Wyoming County, for appointment as Associate Judge in and for the County of Wyoming, until the first Monday of January, 1944, vice William S. Crock, deceased.

EDWARD MARTIN

BILLS ON SECOND READING

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 72 on second reading, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" providing for the divestiture of judgments obtained thereunder by tax sales heretofore or hereafter made.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 88 on second reading, entitled:

An Act to further amend section two and clause (d) of section four of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance, providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and County boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," discontinuing the requirement that in certain cases when relief is given milk orders shall be included in such relief.

be recommitted to the Committee on Welfare, Public Assistance and Pensions.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

Mr. HOLLAND. Mr. President, I desire to interrogate the Majority Floor Leader

The PRESIDENT PRO TEMPORE. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. HOLLAND. Mr. President, I understand that this bill is being recommitted to committee in view of the fact that a bill is coming from the House to repeal the Eckels Milk Bill.

Mr. HEYBURN. Yes, Mr. President, I have been notified that a bill is on its way through the House to amend the Public Assistance Law, which has in it amendments striking out the so-called Eckels milk law.

Mr. HOLLAND. Mr. President, does the gentleman from Delaware have in mind House Bill No. 1071, introduced by Mr. Van Allsburg?

Mr. HEYBURN. Mr. President, our Caucus was notified that a bill was on its way through the House, but I am sorry that I just can not tell the gentleman from Allegheny what number it is; I understand it was introduced by Mr. Van Allsburg.

Mr. HOLLAND. Mr. President, I carefully checked with the House and find that there are two bills repealing the Eckels bill, one introduced by the gentleman from Allegheny, Mr. Curley, which is an outright repeal of the Eckels Bill, similar to the one that we now have before us in the Senate; the other is House Bill No. 1071, presented by Mr. Van Allsburg. The Van Allsburg bill couples with the repeal of the Eckels bill a number of changes in the Department of Public Assistance.

Mr. President, those of us who wish to repeal the Eckels milk bill, and when I say "us" I refer to the people of Pennsylvania, particularly mothers who are now on aid for dependent children, are asking for a repeal of this bill in its entirety. Now, for us to vote for a repeal of the Eckels bill in the Van Allsburg Bill, it will be necessary to vote for the return to the counties of ten per cent of the total cost of public assistance. This ten per cent will be placed on the small home owners of Pennsylvania.

Yesterday I had the pleasure of visiting the Governor's office, and while there I told the Governor's secretary that a bill to repeal the Eckels bill was now on the Calendar, and the Governor's secretary stated that the Governor was in favor of the repeal of the Eckels Bill.

Mr. President, this session will go down in the history of

Pennsylvania as one of the biggest do-nothing sessions in its history. I have served four terms in the House, and in those four terms I do not know that in any of those terms I have done less for the people of Pennsylvania that I have in this session we are now in. When this session started we were led to believe it was going to be a war session, it was going to be a session of quick action; it was stated by the Governor, speaking as a soldier, that it would be a win-the-war-session. Up to date I say that this session has been far from winning the war. We have done nothing to back up our boys at the front, in fact all we have done is to pass bills helping certain interests of Pennsylvania.

We have, Mr. President, at this time the Majority Leader of this Senate asking that we return to committee a bill that would save the tax payers of Pennsylvania $75,000 a month. We have been in session three months, and in those three months we have wasted nearly one-quarter of a million dollars. Are we going to add on the month of April to the three months that have passed and add $75,000 to the tax bills of our people of this great Commonwealth? The Eckels bill never was wanted by the people of Pennsylvania. It was put there by a pressure group, the milk trust, and the members of this Senate know that it is impossible at the present time to give one pint of milk a day to children under sixteen. Milk must be bought now by the quart, and with the coming of hot weather, are you going to appropriate from the funds of the State of Pennsylvania sufficient money to buy for those poor unfortunate people, and in these times it does not only apply to the people on relief, it applies to widows, because milk today is being distributed among orphan children.

It has been stated on this floor in this Senate only last week, that one of the reasons why the Eckels milk bill was not repealed was that those people receiving relief moneys would buy liquor. I went to the trouble of checking up those people who do receive milk, and I say to the gentlemen of the Senate, that when a statement like that is made, it is attacking every widow whose children are receiving milk, and I say it comes in poor taste.

Yes, I agree with the gentlemtn from Allegheny, Mr. Walker, that whiskey is in poor taste too, and I hope some of the members of the Senate listened to the words of Mr. Walker when he said that.

Mr. President, this is not a laughable matter. Mr. President, I demand order.

The PRESIDENT PRO TEMPORE. The Senate will be in order.

Mr. HOLLAND. Mr. President, this is one of the ruses used in this Senate many a time when important bills are up before the Senate that concern the poor people of Pennsylvania, but I have never heard any laughing or any redicule from certain members of this Senate when we are passing bills to favor the utilities or the special interests or the people that the Republican Party is in hock to, the Pews and the Grundys.

Yes, Mr. President, I say to you that this bill should not go back to committee; in going back to committee it is not carrying out the wishes of the people of Pennsylvania. This bill should be passed speedily and put into effect immediately so that we shall not continue to waste money.

Mr. KEPHART. Mr. President. I suppose it would be asking too much to be quoted accurately by the Senator from Allegheny County, or even by some of the newspapers in his vicinity, but just to keep the record straight, I would like to point out that last week when this topic was discussed, I said it was the policy of the Legislature of Pennsylvania, when it passed this Eckels bill, to make sure that the poor people of Pennsylvania received at least that much food, and that they would not divert that money into liquor and other channels. That was the policy of the Legislature when this bill was passed, and those conditions did exist then.

I also stated that the Commonwealth of Pennsylvania was not losing this great amount of money every month, but that it was the Federal government, which was failing to give us that money because it wanted to dictate the policies of this Commonwealth, to tell us what to do, to bribe us to make laws that the bureaucrats in Washington wanted rather than laws that the Legislature of this state thought were right.

Mr. HOLLAND. Mr. President, I would hate to follow the philosophy of the gentleman from Philadelphia, Mr. Kephart. I have more faith in the common man than to stand on this floor and say that the common man of Pennsylvania would buy liquor with money that was given to him due to the collapse of our economic system. The men or women who were on relief were not on relief due to their own choosing; they were on relief due to the false wisdom, the false guidance that brought on this great depression. The foundation of that depression was laid during the administrations of Harding, Coolidge and Hoover. It was the do-nothing administration of Coolidge that caused the false prosperity in this country, which caused us to go into that depression, and why should we not give to these people moneys which they had earned to create wealth in America and spend as they thought fit? I say to the gentleman from Philadelphia, Mr. Kephart, thank God for the bureaucrats in Washington who have that confidence in the common man and who knew in their wisdom that if they gave money to men of his type, they would use that money to promote special interests and force men and women who are denied the right to vote to buy things that they wanted to buy and help special interests make more money.

The PRESIDENT PRO TEMPORE. The Chair wishes to call the attention of the Senate to the fact that we are on the question of whether or not this bill should be recommitted.

Mr. HEYBURN. Mr. President, I want to thank the gentleman from Allegheny for his very enlightening argument as to the sins and problems of the world. Nevertheless, I would like to just take a minute to tell the gentleman from Allegheny why I am moving that this bill go back to Committee.

I received a telephone call this morning from the Majority Leader of the House, in which he told me that this bill is in conflict with the public assistance law, so he had been told, and this other bill introduced by Mr. Van Allsburg, I think, is on its way through the House.

Therefore, Mr. President, the only thing to do, it seems to me, is to put both bills into committee and determine which of the bills does the job best, and then put that bill out and pass it.

Therefore, Mr. President, I press my motion that the bill be recommitted to the Committee on Welfare, Public Assistance and Pensions.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Delaware.

The PRESIDENT PRO TEMPORE. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. SHAPIRO. Mr. President, we only have three bills on the postponed calendar, and my suggestion is that we put this bill on the Postponed Calendar for a day or two because, when this bill was considered in committee, I was one of the members of the committee, and we were aware of the fact that the Van Allsburg bill was over in the House; we discussed it and we came to the conclusion that the Van Allsburg bill has matters in it that are quite controversial and that we might not agree with the passage of that bill, and therefore, since this bill has but one subject, we were all in agreement that this bill should be passed and recommended that it be reported out.

Now, if there is a question as to whether or not this other bill should be the one adopted—I understand it has already passed or is about to pass the House—we could put this bill on the Postponed Calendar for a day or two, and I suggest to the gentleman from Delaware, that he might adopt that suggestion.

Mr. HEYBURN. Mr. President, I think the argument of the gentleman from Philadelphia falls of its own weight, because I say we could not very well consider one bill on the Calendar and one bill in committee, and I certainly think it would be much better to consider both bills in committee, and therefore, Mr. President, I press my motion.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—26

Becker,
Bowers,
Carr,
Crider,
Deitrick,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Stevenson,
Tallman,
Taylor,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy,
Pres. Pro. Tem.

NAYS—13

Barr,
Coleman,
Cox,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Stiefel,
Woodring,

So the question was determined in the affirmative.

SENATE BILL No. 311 CALLED UP

Mr. WADE. Mr. President, I now call up Senate Bill No. 311, Printer's No. 180, on page 5 of the third reading Calendar.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 311, entitled:

An Act relating to appointments reclassifications and promotions under any civil service system of this Commonwealth since March sixteenth one thousand nine hundred forty-two until a period after the cessation of hostilities making such appointment of war duration providing for examinations at the end of such period suspending powers of the Personnel Directors of the State Civil Service Commission and conferring powers on the State Civil Service Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 In order that the men serving in the armed forces of the United States and the women serving in the uniformed services directly connected with the armed forces of the United States during the present hostilities shall not be put to a disadvantage because of such service in securing public employment under the several civil service systems of this Commonwealth through examinations for permanent appointments held and permament appointments pursuant thereto made during their absence all appointments reclassifications and promotions to positions in any department board or commission of this Commonwealth that is now subject to civil service requirements under any law rule or regulation of any department board or commission that have been made since the sixteenth day of March one thousand nine hundred forty-two and that shall hereafter be made until appropriate eligible lists can be established after the cessation of all hostilities shall be war-duration appointments

Section 2 Each such appointment reclassification and promotion hereafter made by the appointing authority shall be made under and in accordance with such rules and regulations as may be adopted by the department board or commission having or whose head has the power of appointment or has supervision over other appointing authorities. All apppointments reclassifications and promotions made under the authority of this act shall continue until the same can be filled from employment and promotion lists established as the result of examinations given by the Personnel Director or other appropriate officer or agency on or after a date as hereinafter provided in the manner and subject to the provisions of the Civil Service Act or other applicable law rule or regulation

Section 3 Six months after the cessation of hositilies in all wars in which the United States is engaged the Personnel Director or other appropriate officers of any department board or commission shall commence the preparation of eligible lists in accordance with laws rules and regulations existing on the date this act becomes effective in order that eligible lists may be available from which to make appointments under the civil service upon the expiration of this act

Section 4 The powers and duties of the Personnel Director of the State Civil Service Commission are hereby suspended for the duration of the war and until six months after cessation of all hositilities but the State Civil Service Commission may exercise such powers and duties of the Director as are not inconsistent with the provisions of this act

Section 5 The provisions of the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 752) entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth vesting in the State Civil Service Commission and a Personnal Director certain powers and duties providing for classification of positions adoption of compensation schedules and certification of payrolls imposing duties upon certain officers and employes of the Commonwealth authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service defining certain crimes and misdemeanors imposing penalties making certain appropriations and repealing certain acts and parts thereof" in so far as the same are inconsistent with the provisions of this act and every other act and part of act inconsistent therewith are hereby suspended so long as this act shall remain in effect

Section 6 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. COX. Mr. President, I regret very much that it will be necessary for me to vote against this bill. This bill could have accomplished a very meritorious purpose, a purpose that I think every member of the Legislature would have been in favor of.

I regret, however, that as the bill has been amended, it does not accomplish the things that many of us would like it to do.

Mr. President, if you will bear with me, I would like to discuss some of the aspects of the bill that I think are defective and should be corrected. In the first place, as you well know, I believe that in order to have an efficient government, you must have efficient employes, and if the employes of government are constantly changing with each change in political power, the result will be a diminution of the effectiveness and ability of the people employed. It is an obvious fact that if a man does not have job security that out of fairness to that man and his family he can not engage in any industry, or in any employment in which his security will be of possible brief duration. That is my reason, in the first instance, for being for civil service.

Mr. President, in this particular bill there will be three types of employes employed by the Commonwealth of Pennsylvania. One group of employes will have complete civil service protection; the second group of employes, those employed subsequent to March 16, 1942, up until a date which would be the effective date that this legislation becomes a law, would have what the bill calls, war duration employment. After the war is over, these individuals will be compelled to take examinations, just as every other individual living in this Commonwealth must do.

Very frankly, Mr. President, I am in favor of that section of the bill; in fact, if it were pactical, I would like the date, March 16, 1942, to be changed to the date when the first conscription act was passed by the Federal Government: that perhaps would be the better date because if we set that date, then we would afford an opportunity for all the men and women in the armed forces of the United States to have an opportunity to take civil service examinations, so that they would be enabled to have employment in the Commonwealth of Pennsylvania. I have been informed, however, that for certain reasons, primarily that we perhaps would run into conflict with the Federal Government, that it is necessary to set March 16, 1942, as the date. The third provision of this act, and this is the provision that I feel is unnecessary, certainly not in keeping with the preamble of this bill, is that after this act becomes effective, any individuals employed then by the Commonwealth of Pennsylvania will not be employed through civil service. We know that there are certain departments of our government in which employes have civil service protection.

There are other departments in the Commonwealth in which people do not have civil service protection, but this bill provides that after the date of the passage of the act, that any individual employed in a department which now has civil service will no longer have it.

The argument has been used that this section is necessary, because there are departments of the government in which the civil service lists have been exhausted, and for that reason it would be impossible to obtain employes to work in those departments if this provision was not in the act. Perhaps that is so, but the number of those departments are relatively few as compared with the great number of departments which have civil service lists from which employes can be taken, and in order to protect the departments which have not sufficient lists or not sufficient persons in employment, this act could have been amended in an entirely different way, so that those departments could have the employes which it would be necessary for them to have. I understand that the Federal Government is confronted with that same proposition and that same problem and that the Federal Government is meeting it, and I am satisfied that if we would take two or three days, we could get the Federal enactments, and if they would be satisfactory to the sponsor, those provisions could be inserted in this bill and give us an opportunity to employ people who otherwise could not be employed under the provisions that I spoke about.

The preamble of this bill states that it was introduced for the purpose of giving the men and women in the armed forces of the United States an opportunity for employment in the Commonwealth, and our States Government.

Mr. President, there are other matters which have been brought to my attention. For instance, this act is going to affect men who were in the services of this country in other wars. Those men have a preferred rating in the State of Pennsylvania, they are given an additional ten per cent credit in every civil service examination that they take, and if they are on the list of candidates who passed the examination, it is mandatory that they be given that preference rather than some person who has not seen service in the armed forces of the United States.

Mr. President, I have not any particular objection to that state of affairs; it seems to me that the men and women of this country and of our state who have sacrificed their employment and their security and are risking their lives are entitled to every gift that the Commonwealth or the people of Pennsylvania can possibly give them. I would like to point this out to you, however, that when this war is over, it will be almost an impossibility for any person who has not been in the armed forces of the United States, either in this war or any other war, to be employed by the Commonwealth of Pennsylvania, because of this legislative preference which the Legislature has given to them, and that means that too many men and women who are engaged in war industries which play a vital part in the preparation for this war and the conduct of it, are not going to have an opportunity to work for their Commonwealth. That, of course, is a matter not particularly pertinent to this bill, but it is a matter which I certainly think should be considered.

I certainly hope that the sponsor of this bill at this time instead of proceeding to force the members on the Democratic side of this Senate to vote against this bill, will withdraw his desire to have the bill considered, and send it back to the committee and let the many members of this Senate on both sides of the Senate propose those things that perhaps we all can agree on. Regardless of the vote today, regardless of whether this bill passes or not, I want to say this for the Democratic members on this side, that any negative vote is not a vote against giving employment to the men and women who are engaged in the armed forces of the United States.

We have heard many speeches on the floor of this Senate which were prefaced by a passionate appeal to the patriotism of the members of this Senate, who had a deep concern for the men and women who were in the armed services of our country and out of the Commonwealth, but I say, unfortunately, in many cases, those appeals had no relation whatsoever to the legislation under discussion.

It is true that every member of this Senate is sincerely interested in winning the war, but I sincerely hope in winning this war that we do not destroy many of the great things for which this war is being fought, and I believe that civil service is one of the great things which we have accomplished by legislation, and I certainly hope, under guise of a war measure, that there can be no destruction of the little civil service that we do have.

(During the calling of the roll the following occurred:)

Mr. COX: Mr. President, I ask that the roll be called.

The PRESIDENT PRO TEMPORE: The Clerk will first call the names of those voting in the affirmative.

The Clerk read the names of those voting in the affirmative as follows:

Becker,
Bowers,
Carr,
Crider,
Deitrick,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Stevenson,
Tallman,
Taylor,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy,
Pres. Pro. Tem.

The PRESIDENT PRO TEMPORE. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified.

The Clerk read the names of those voting in the negative as follows:

Barr,
Coleman,
Cox,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Stiefel,
Woodring,

The PRESIDENT PRO TEMPORE. Are there any corrections? The Chair hears none. The negative roll call will stand as verified.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Becker,
Bowers,
Carr,
Crider,
Deitrick,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Stevenson,
Tallman,
Taylor,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy,
Pres. Pro. Tem.

NAYS—13

Barr,
Coleman,
Cox,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 127, on second reading, entitled:

An Act permitting certain organizations to conduct the playing of the game of bingo under certain circumstances; providing for the issuance, suspension and revocation of licenses therefor and for payment of a registration fee, and providing penalties.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. WATKINS. Mr. President, I ask unanimous consent that Senate Bill No. 166, on second reading, entitled:

An Act to amend the title and section three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by extending certain responsibilities of said act to the support of all indigent persons whether or not they are publicly cared for or assisted

go over in its order, for the time being.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

CORRECTION

Mr. HEYBURN: In connection with Senate Bill No 166, Mr. President, I would like to call attention of the desk to an error. Senate Bill No. 166, on the bill itself, shows Senator Walker as sponsor; whereas as a matter of fact it was introduced by Mr. Watkins.

The PRESIDENT PRO TEMPORE. The correction will be noted.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 228, entitled:

An Act to further amend section four hundred ten of the act approved the twenty-ninth day of November one thousand nine hunderd and thirty-three (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by postponing the time for the taking effect of orders of the Pennsylvania Liquor Control Board suspending or revoking licenses for a period of twenty days during which time the licensee may take an appeal.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 244, entitled:

An Act reducing for a limited period of time the training period of interneship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 246, on second reading, entitled:

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 266, entitled:

An Act to provide for the publication of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports conferring powers and imposing duties on the State Reporter the Department of Property and Supplies and the Secretary of the Commonwealth providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof and repealing certain acts and parts of acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 478, entitled:

An Act to amend section two of the act approved the second day of June, one thousand eight hundred and eighty-three (P. L. 61), entitled "An act supplementary to an act, entitled 'An act for the incorporation and regulation of corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, authorizing the incorporation of pipe lines for the transportation of petroleum, and providing for the exercise of the right of eminent domain in taking lands and property for such purposes," by enlarging and extending the powers of such companies including the acquisition and disposition of franchises, shares of stock and property of such companies in this and other states, the distribution and storage of oil and petroleum products, the use of connnecting lines and equipment of other companies and producers and refiners, the construction and maintenance of connecting pipe lines or branches, pumps, tanks and other equipment within and without the State; extending the power of eminent domain; preserving the jurisdiction of the Pennsylvania Public Utility Commission; and regulating the laying of pipes by such companies and by foreign companies including companies incorporated under the Act of Congress, and the erection and protection of storage tanks.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and laid on the table:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 138, PRINTER'S No. 108

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1943.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 138, Printer's No. 108, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

LEAVE OF ABSENCE

Mr. SHAPIRO. Mr. President, I ask leave of absence for myself for tomorrow, Monday and Tuesday of next week, because of a case that has been especially set for trial.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. CRIDER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 25, entitled:

An Act making an appropriation to the Monongahela Memorial Hospital Association of Monongahela City, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 77, entitled:

An Act making an appropriation to the Water and Power Resources Board for the reconstruction of the dam near the village of Seelyville in Wayne County which was recently dynamited to eliminate a flood hazard and authorizing said board to undertake and complete the reconstruction of the aforesaid dam.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 131, entitled:

An Act to amend section five of the act approved the fourteenth day of May, one thousand nine hundred fifteen, (P. L. 524), entitled "An act creating a fund for the purpose of rebuilding, restoring, and replacing buildings, structures, equipment, or other property of the Commonwealth of Pennsylvania, damaged or destroyed by fire or other casualty, and regulating the placing of insurance thereon, and providing penalties for any violation of the provisions of this act," eliminating the exception of armory buildings owned by the Commonwealth and under the supervision of the Armory Board from the provisions of said act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 164, entitled:

An Act creating a Safety Commission as an Independent Administration Commission of the Commonwealth and defining its powers and duties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 178, entitled:

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-five (P. L. 244), entitled "An act creating a Local Government Commission to study and report on functions of local government; their allocation and elimination; the cost of local government and means of reducing it; and the consolidation of local government; and making an appropriation," fixing the terms of the members of said commission; providing for the filling of vacancies; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 243, entitled:

An Act to further amend section eleven of the act, approved the seventeenth day of February, one thousand nine hundred six (P. L. 45), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," by further regulating the rendition and advertisement of statements of moneys to the credit of the various funds in the State Treasury.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.
The Senate proceeded to the first reading and consideration of Senate Bill No. 261, entitled:

An Act to amend section one of the act, approved the fifth day of August, one thousand nine hundred and forty-one (P. L. 826), entitled, "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey certain plots of land," by correcting the location of the plot of land described in paragraph Fourteen, and providing for the sale of certain additional plots of land.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 285, entitled:

An Act to further amend section one of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended, "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 309, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 310, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 344, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" including persons subject to the National Labor Relations Act in the definition of "employer"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 345, entitled:

An Act to further amend the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and porcess of the board; prescribing certain penalties," further regulating the right to, and procedure on, appeals to court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 348, entitled:

An Act to amend section four of the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1409), entitled, as amended "An act authorizing the creation of state mining commissions, with judicial powers, to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, and over the assessment and award of benefits, improvements, and damages for coal required to be left in place by reason of the obligation to furnish support for land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, whether the damages are payable by the Commonwealth or a county or a municipality; authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands, easements or right of ways caused by the removal of coal under or adjacent thereto; waiving vertical and lateral support therefor under certain conditions; reserving the right to acquire absolute vertical and lateral support; reserving the power to establish detours for the removal of coal underlying State highways; providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place," by waiving under certain conditions where no damages are payable vertical and lateral support to all lands, easements and right of ways purchased, condemned or otherwise acquired by the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 350, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College on behalf of the Commonwealth of Pennsylvania, that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestley, and now the property of the Pennsylvania State College; providing for the control, management and maintenance thereof by the said department and the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies, or individuals, such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial; authorizing the Pennsylvania Historical Commission to accept as gifts or loan, such books, manuscripts, pamphlets, relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science, and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 354, entitled:

An Act to further amend clause (d) of section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 452), entitled, as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to sell and convey projects and property to the Commonwealth, the United States, or any Federal agency.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 397, entitled:

An Act to further amend section five hundred fourteen of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by adding thereto clause (f) providing for contracts and leases for the mining and removal of minerals, including oil and gas, from lands of the Commonwealth.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 425, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Crawford County, Pennsylvania, known as the Keystone Ordnance Plant, and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 430, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-eighth Ward, of the City of Philadelphia, Pennsylvania, known as the Philadelphia Signal Depot, and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 443, entitled:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space, providing for lawfulness of flight; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by reducing the amount of the minimum fine which may be imposed for certain violations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 444, entitled:

An Act to repeal the act approved the fourth day of May, one thousand eight hundred eighty-nine (P. L. 87), entitled "An act relating to sales of provisions by description."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 445, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City and County of Philadelphia, Pennsylvania, known as the Philadelphia Armor Plate Plant, and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 449, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 452, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties, Pennsylvania, known as Pennsylvania Ordnance Works, and ceding jurisdiction to the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 453, entitled:

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 457, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the Forty-eighth Ward of the City of Philadelphia, Pennsylvania, known as the Philadelphia Quartermaster Depot, and ceding jurisdiction to the United States.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 460, entitled:

An Act to add section six to the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 600), entitled "An act providing that appointive officers and employes, employed by the Commonwealth of Pennsylvania in its civil service, or by any department bureau commission or office thereof or by and county, municipality, township, or school district, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment, enrollment, or draft in the military or naval service of the United States or any branch or unit thereof, in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy; directing that one-half of the salaries or wages of such officers or employes as have dependent wives, children, or parents, and not exceeding two thousand dollars per annum, be paid during the term of their service in the Army or Navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes, respectively, and providing for the compensation of such substitutes" saving to members of the Pennsylvania Motor Police Force their right to increases in pay and certain advancements in rank.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 463, entitled:

An Act making an appropriation to the Department of Welfare for the purchase of furniture and equipment for the Philadelphia State Hospital.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 472, entitled:

Act providing that every mine foreman, assistant mine foreman and fire boss under the Bituminous Mining Laws and the Anthracite Mining Laws of the Commonwealth represent and are officers of the Commonwealth in the mines in which employed; for the suspension or cancellation of the certificates of such officials as shall hold same and for the disqualification of such as are uncertificated by the Secretary of Mines after or prior to hearing for failure or refusal to perform their respective duties; defining the procedure in such hearing and the powers of the Secretary of Mines with respect thereto and providing for a review of his decisions by the Court of Common Pleas of Dauphin County and the Superior Court; providing for reexamination by the Examining Board of any person whose certificate has been cancelled and for reinstatement of such as are uncertificated; and prohibiting the employment by any operator of any person not possessing the requisite certificate or whose certificate is suspended or who has been disqualified.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 474, entitled:

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth, together with the rentals derived therefrom, shall be repaid to and credited to the proper special fund, from which the funds to purchase said real estate were taken.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 477, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal statues of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws" by transferring to the Pennsylvania Public Utility Commission the powers and duties conferred and imposed upon the Department of Revenue, and directing that the cost of administering said act shall be segregated on the books of the commission.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 651, entitled:

An Act providing for the printing and distribution of Senate and House Bills and Senate and House Calendars.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 686, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties.

And said bill having been read at length the first time, Ordered to be laid aside for second reading.

SENATE BILL No. 166 CALLED UP

Mr. WATKINS. Mr. President, I would like to call up Senate Bill No. 166 now, on page 10 of today's Calendar.

Mr. President, I also wish to call attention to the fact that the name of the gentleman from Allegheny, Senator Walker, appears on Senate Bill No. 166 as having been introduced by him. I want to say that that is in error, as I introduced this bill on February 16, 1943.

Agrreably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 166, entitled:

An Act to amend the title and section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by extending certain responsibilities of said act to the support of all indigent persons whether or not they are publicly cared for as assisted.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. WATKINS offered the following amendment:

Amend Sec. 2 (Sec. 3), page 3, line 10, by inserting after the word "person" the following: "whether or not such person has been publicly cared for or assisted"

It was agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. WATKINS, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth, which was laid on the table:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 1, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William F. Buckley, 3100 Birney Avenue, Minooka, Scranton, for appointment as Justice of the Peace in and for the Township of Lackawanna, Lackawanna County, until the first Monday in January, 1944, vice John J. Joyce, deceased.

EDWARD MARTIN.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjjourn until Thursday, April 8, 1943, at 11:00 o'clock a. m. Eastern War Time.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:58 o'clock p. m. Eastern War Time until Thursday, April 8, 1943, at 11:00 o'clock a. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 7, 1943

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

Rev. Chester S. Simonton, D.D., Pastor St. Paul's Lutheran Church, York, a guest of the Chaplain, offered the following prayer:

"O Thou, in might so very far,
In love so very near,
Above the realm of sun and star—
And yet, beside us here."

We thank Thee, our Heavenly Father, for the intimate sense of Thy presence. We thank Thee for the many expressions of Thy love, the evidences of Thy guiding hand and constraining spirit.

Look down upon us this day as a group of Thy servants assembled in this legislative body. Inspire us with true patriotic zeal and the privilege of serving this great Commonwealth and humanity everywhere for Thy Name's sake.

Especially at this sacred Lenten Season would we pray that the spirit of Him who came "not to be ministered unto but to minister" may take such possession to our minds and hearts that, purged of every selfish motive, we may lay our best—our all upon the altar of right and truth and everlasting justice.

Bestow Thy protecting providence upon the President of the United States. Give wisdom, O God, and an understanding of Thy will to him and to all those associated with him in government.

Undergird with Thy sustaining grace the Governor of our State, the members of Senate and House of Representatives. Impress upon our people the solemn responsibility of their citizenship and unite us in the glorious bonds of undying faith and unswerving loyalty.

Remember, we pray Thee, all peoples everywhere upon whom have fallen the calamities of war and oppression. Lay Thy comforting hand in benediction upon the innumerable homes and hearts that have been torn and broken by loneliness and separation. Draw near O God, in Thine infinite comradeship, to millions of young men and women scattered across the world in the military service of our country. Protect them from all danger both of body and soul. Give them courage for every duty, and strength and skill for every task.

Hasten, we pray Thee, the day of Universal Peace, and so prepare the hearts of men that when it comes we may be ready to receive it, and to cherish it, and to preserve it forever.

All this we ask in the name of our Lord and Saviour, Jesus Christ. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 6, 1943.

The Clerk proceeded to read the Journal of Tuesday, April 6, 1943, when, on motion of Mr. Walton unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. CHARLES H. BRUNNER, Jr.

HOUSE BILL No. 1092.

An Act to amend section twelve of the act, approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 710), entitled "An act allowing and regulating boxing, sparring and wrestling matches and exhibitions; estabishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," changing the minimum age for participants in amateur boxing, sparring and wrestling matches and exhibitions and providing a penalty.

Referred to the Committee on Judiciary Special.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. WALLIN. RESOLUTION No. 54.

In the House of Representatives, April 6, 1943.

The House of Representatives of the General Assembly on Thursday, April 1st, unanimously passed House Bill No. 816 granting a much deserved pay increase to school teachers throughout the Commonwealth.

There are other employes of the various school districts of the Commonwealth however who are salaried and who by reason of the increased cost of living have found themselves financially embarrassed.

These persons are the non-professional employes, the janitors, caretakers, clerks, secretaries and stenographers whose labor contributes also to the successful operation of the school system.

An attempt was made to amend House Bill No. 816 by including therein an increas of fifteen per centum of present salaries for those employes but the plan failed due to the added burden it placed upon the Commonwealth, which would probably have caused the final defeat of the increase for the professional employes.

The Commonwealth having decided to increase the salaries of the teachers it seems eminently fair that the local boards of school directors should assume the burden of providing a living wage for those other employes of the school districts; therefore be it

Resolved, By the House of Representatives of the General Assembly, That while it recognizes the need of the non-professional employes of the school districts throughout the Commonwealth of an increase in salary of at least fifteen per centum of existing salaries in order to maintain a proper living standard, it feels that the local authorities should assume this added cost of administering the system; and be it further

Resolved, That the Chief Clerk of this House shall forward a copy of this resolution to each board of school directors within the Commonwealth.

Referred to the Committee on Education.

By Messrs. READINGER, SCANLON, STOCKHAM and BRETHERICK. RESOLUTION No. 55.

In the House of Representatives, April 5, 1943.

Whereas, The House of Representatives of the General Assembly at the Regular Session of 1941, adopted on January 7, a resolution (Serial No. 12), whereby a special committe of five members was appointed to investigate a threatened discontinuance of W. P. A. sewing projects in Pennsylvania because of the refusal of this Commonwealth to contribute certain funds therefor as required by the Federal Government; and

Whereas, The Honorable William A. Shaw was designated as chairman of said committee; and

Whereas, The entire appropriation of three thousand dollars ($3,000) made to such committee under Appropriation Act 63-A, to cover the expenses of that investigation, was duly paid to the aforesaid William A. Shaw by the State Treasurer; and

Whereas, The investigation directed to be made by said committee was completed and a preliminary report filed with the General Assembly on February 17, 1942; and

Whereas, The chairman of the committee has never made any accounting of the disposition of the three thousand dollars ($3,000) appropriation turned over to him; and

Whereas, The remaining four members of the committee have not received any reimbursement for the expenditures actually made by them in connection with this investigation; now therefore be it

Resolved, That a committee of five members be appointed by the Speaker of the House of Representatives to investigate immediately the expenditures by William A. Shaw of the appropriation above referred to; and be it further

Resolved, That William A. Shaw shall forthwith file an accounting of the uses made of such funds.

Referred to the Committee on Appropriations.

By Messrs. MORAN and HEATHERINGTON.

(Concurrent) RESOLUTION No. 56.

In the House of Representatives, April 6, 1943.

Ten Point Legislative Program

Whereas, Winning the war is our number one job today, the Commonwealth of Pennsylvania can contribute most to our speedy and total triumph over the Axis by ensuring support to every phase of our war effort. This can best be done by strengthening within this State the democracy we are fighting for, strengthening the morale and health and working efficiency of our people, by strengthening our resources for Victory; and

Whereas, All groups within this Commonwealth have expressed their desire to win this war, the labor movement, the Governor of the Commonwealth as the leader of the party in power, the leaders of the minority party, and the people as a whole, have pledged themselves to support the cause of Victory; and it is therefore resolved that to secure this objective in the shortest possible time, it will require the carrying out of the following legislative program in this Commonwealth:

One. State aid in industrial areas, with full attention to mining communities, for health clinics through the Department of Health; for recreational facilities for war workers and their families as a contribution to production efficiency and morale; and to establish child care centers or nurseries to enable maximum use of all available workers. Federal funds are available if the State takes initiative and assures administration of a program.

Two. Extension of our political democracy to ensure the right to vote to all citizens who have reached their eighteenth birthday. We are inducting eighteen-year-olds into our Army, and we can surely therefore grant them the franchise.

Three. No legislation designed to crack down on the working people and their unions; such legislation merely threatens disunity, weakens our production drive, and is no fitting answer to the all-out effort being given by the war workers and their organizations. Vigorous opposition to the Woodward Bill, the Tyler Bill, the McMillen Bill in the House, and similar measures.

Four. Maintain and extend our economic democracy as a bulwark for Victory; liberalize the Unemployment Compensation Law to include partial unemployment compensation, extension of benefit payments, increase in benefits, and reduction of the waiting period; improvement of the workmen's compensation legislation, to assure particularly employers' financial responsibility; an amendment to the Female Labor Act to provide that women shall receive equal pay for the same work; other measures in this direction include health insurance, restoration of the Anti-Injunction Act and the Labor Relations Act to effectively outlaw company unions; pay increases for teachers and other public school employees and maintenance of an adequate educational budget; and action to remove humiliating provisions from present relief acts relating to public assistance.

Five. No return of the Department of Public Assistance financial burdens to the Counties. This measure would discriminate against those who require and will require this assistance, and create chaos in financing and administering a real public assistance program.

Six. Aggressive action by the Commonwealth of Pennsylvania in behalf of the working farmers, directed toward increasing agricultural production to win the war and assuring decent conditions to the small farmers. This must include State action for full use and pooling of machinery, State maintained repair stations, and fair distribution of repair parts; State action to assure enlargement of small farms for greater production, shifting farmers from poor to better lands where greater production can be secured, and State aid for low cost credit facilities for the farmers; State assistance for aid in marketing facilities for small producers, including transportation assistance where necessary; a State farm relief program for working farmers threatened by sheriff sales, mortgages, and other financial crises. Plans for maintaining the post war farm market by providing adequate security and continued employment; plans for post war extension of rural electrification and cooperatives through State aid.

Seven. Vigorous action for legislation to assure American rights to national and religious minorities by outlawing discrimination in employment in war industry, public agencies, utilities, mines, and other enterprises, and legislation to make it illegal to include discriminatory references in advertising for employment.

Eight. A democratic State tax policy, which will further tap profits and assure revenues to carry out this program without imposing new burdens on the common people. Opposition to proposed large reduction in corporation taxes to shift the tax burden to the common man; no sales tax.

Nine. Action against stream pollution to conserve the health and natural resources of our Commonwealth and to assure more easily available areas for Pennsylvania sportsmen; extension of flood control.

Ten. A comprehensive and adequate plan for post war security with a place in the budget for such planning; with attention to the problem of industrial workers, farmers, miners, and the people as a whole; It is therefore further

Resolved That the adoption of this program by the legislature will assure the maximum mobilization of the Commonwealth of Pennsylvania, its people, and its resources, behind the effort of America and the United Nations for a speedy Victory over the enemy.

By Mr. HOLMES. Concurrent (Not printed).

In the House of Representatives, April 5, 1943.

Carbon County was created by an act of Assembly of March 13, 1843 more than one hundred years after the arrival of a group of Moravians in search of a haven of safety.

From the time of the arrival of that interpid band of white men and women who later survived the great Gnaden Hutton Massacre in 1755 the territory they settled has prospered.

In this territory Benjamin Franklin, recognizing it as an outer defense of Philadelphia, personally supervised the building of Fort Franklin in what is now Weissport as a protection and a barrier against the Indians of the North.

In 1791 Philip Ginter discovered anthracite coal and started one of the great industries of the Commonwealth and which led to the building of the Lehigh Valley Railroad in 1855 by Asa Packer who later built and heavily endowed Lehigh University.

From this county came men who have contributed greatly to the development of the Commonwealth. They marched and endured with Washington, their sons answered the call of Abraham Lincoln, and fought in France and their grandsons and great grandsons are now scattered over the battlefields of Europe and Asia and are demonstrating the same bravery and fortitude that marked those heroic founders of this county.

On Monday, March 8, 1943, the Carbon County Historical Society petitioned the Court of Common Pleas of Carbon County to hold a special session of the court on Saturday, March 13, 1943, in commemoration of the one hundredth anniversary of the founding of Carbon County.

The court granted the prayer of the petition and on March 13, 1943, a special session of the court was held in the Court House with Judge James C. McCready presiding.

Fred Brenckman, formerly of Hudsondale, representative of the National Grange and author of the History of Carbon County was the principal speaker. Congressman Francis E. Walter, Judge Samuel Shull, Monroe County, Judge Frank McClusky, Northampton County, State Senator M. F. Crowe, Hon. Elmer Holmes of the House of Representatives and others also spoke.

It was an impressive, instructive and successful celebration of an important happening and those responsible for the preparation of the program and the carrying out of the plans are deserving of great credit. It was an occasion of which some permanent record should be made; therefore be it

Resolved (if the Senate concur), That the General Assembly extends to the people of Carbon County its congratulations upon the successful celebration of the one hundreth anniversary of the founding of their county, it congratulates also those who planned and carried out the celebration and those who took part in it; and be it further

Resolved, That in order to make a permanent record of the occasion it is ordered that this resolution be printed in the Legislative Journal and that a copy thereof be forwarded by the Chief Clerk of the House of Representatives to the Honorable James C. McCready President Judge of the Court of Common Pleas of Carbon County.

Referred to the Committee on Rules.

SENATE MESSAGES

The Clerk of the Senate, Mr. McGroerty, being introduced, presented the following extracts from the Journal of the Senate:

For concurrence Senate Bills Nos. 11, 48, 49, 63, 64, 65, 105, 131, 238, 341, 347, 388, 389 and 407.

House Bills returned without amendments, Nos. 71, 462, 533, 644 and 648.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 71.

An Act to amend section three of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 754) entitled "An act providing for the survey construction reconstruction improvement and maintenance of an Industrial State Highway between the cities of Chester and Philadelphia and making the same a part of the system of State Highways providing for the taking of certain roads and of certain private property therefor under the power of eminent domain and the payment of damages by certain counties and imposing certain powers and duties upon the Highway Commissioner and county commissioners" providing for ascertaining damages for the taking of private property and payment thereof in the same manner as provided by law in the case of State Highways

HOUSE BILL No. 462.

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States, or from any women's organization officially connected therewith, without a learner's permit, examination, or additional fee, and while in such service the operation of motor vehicles without operators' license or motor vehicle registrations and the temporary suspension of existing laws requiring the same.

HOUSE BILL No. 533.

An Act to amend the title and Section 1 of, and to add Sections 2.1, 2.2, 2.3, and 2.4 to, the act approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 496), entitled "An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands," providing that in counties of the seventh and eighth classes taxes on unseated lands shall be returned by the tax levying authorities to the county commissioners and collected by the county treasurer.

HOUSE BILL No. 644.

An Act to further amend sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery and fixing fees therefor

HOUSE BILL No. 688.

An Act authorizing political subdivisions to refund money erroneously or inadvertently paid by persons and corporations into the treasury thereof for municipal improvements or upon municipal assessments, liens whereof have been subsequently declared illegal and invalid.

With the information that the Senate has passed the same without amendment.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. SIMONS for himself and Mr. LYONS for tomorrow.

Mr. IMBRIE for himself for tomorrow.

Mr. EWING for himself for today and tomorrow.

Mr. HARRIS for himself for the week after today's session.

Mr. FINNERTY for himself for tomorrow.

Mr. KENNETH H. WAGNER for himself for today and tomorrow.

REPORTS FROM COMMITTEES

Mr. ELLIOTT from the Committee on Elections reported as committed, House Bill No. 77, entitled:

An Act to amend section eighteen and to further amend section twenty-two of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," permitting registrations before justices of the peace or aldermen.

Mr. WORLEY from the Committee on Elections reported as committed, House Bill No. 79, entitled:

An Act to amend section nineteen and to further amend section twenty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849), entitled, "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," permitting registrations before aldermen.

Mr. LEE from the Committee on Education reported as committed, House Bill No. 305, entitled:

An Act providing for the admission of children to, and their education and maintenance in, and their discharge from the Pennsylvania Soldiers' Orphan School; prohibiting discharging children, or taking children from said school, or children from leaving the same, without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School; and prescribing penalties.

Mr. HARE from the Committee on Education reported as committed House Bill No. 360, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making wartime emergency provisions for substitute teachers.

Mr. HEWITT from the Committee on Public Utilities reported as committed, House Bill No. 563, entitled:

An Act to repeal section five of the act, approved the fourth day of May, one thousand nine hundred five (P. L. 385), entitled "An act creating the Water Supply Commission of Pennsylvania; defining its duties; fixing the scope of its authority and powers, and making an appropriation for the payment of the salaries and expenses connected therewith," prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission.

Mr. MORAN from the Committee on Public Utilities reported as committed, House Bill No. 706, entitled:

An Act to further amend section three hundred one and to amend section four hundred one of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) known and cited as "The Public Utility Law."

Mr. McCLESTER from the Committee on Counties reported as committed, House Bill No. 787, entitled:

An Act to further amend section one hundred thirty-six of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," changing the requirements for creating the office of county controller by court decree in counties of the sixth, seventh and eighth classes; and authorizing the establishment of such offices by referendum.

Mr. LEE, from the Committee on Public Utilities, reported as committed, House Bill No. 809, entitled:

An Act to amend sections two, four, and thirty-two of the act, approved the twenty-first day of June, one thousand nine hundred and thirty-seven (P. L. 1969), entitled "An act relating to nonprofit cooperative corporations organized to engage in rural electrification, providing for the organization, consolidation and dissolution of such corporations; prescribing the qualifications for membership therein; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing cooperative or nonprofit corporations and associations within the provisions of this act; conferring powers, and imposing duties on certain State departments, commissions and officers; fixing fees; conferring the right of eminent domain; prohibiting the use of certain terms in the corporate names of other corporations; exempting such corporations from excise taxes; imposing on them a license fee; and exempting such corporations from the jurisdiction of the Pennsylvania Public Utility Commission, and from the provisions of the Securities Act," changing the definition of rural area; requiring corporations hereafter incorporated to secure certificates of public convenience from the Pennsylvania Public Utility Commission and also requiring certificates in cases of new plants and systems and of extensions, improvements, and additions by such corporations; defining the powers of the Commission in such cases; and restricting the exercise of the power of eminent domain.

Mr. MORAN, from the Committee on Labor, reported as committed, House Bill No. 823, entitled:

An Act to further amend section fourteen of the act, approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors; By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder; and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by permitting examinations to be made by any licensed physician.

Mr. KENNEDY, from the Committee on Counties, reported as committed, House Bill No. 825, entitled:

An Act to amend section one of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 403), entitled "An act fixing the salary of county commissioners in counties of the third, fourth, fifth, and sixth classes," by increasing the salary of county commissioners in counties of the sixth class.

Mr. GARBER, from the Committee on Counties, reported as committed, House Bill No. 845, entitled:

An Act to amend sections six hundred seventeen and six hundred twenty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by removing certain restrictions as to the location of contagious disease hospitals, and authorizing counties to join with any other municipality or hospital in establishing a joint contagious disease hospital.

Mr. IMBRIE, from the Committee on Labor reported as committed, House Bill No. 858, entitled:

An Act to amend section nine of the act approved the thirteenth day of May one thousand nine hundred and fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors: By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by changing certain rules for the issuance and filing return of employment certificates in certain public school districts.

Mr. McMILLEN, from the Committee on Elections, reported as committed, Senate Bill No. 20, entitled:

An Act to amend sections nine hundred twenty-two and nine hundred seventy-nine of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing for nominations where successful candidates have died before or on the day of the primary.

Mr. GOODWIN, from the Committee on Municipal Corporations, reported as amended, House Bill No. 26, entitled:

An Act authorizing all counties, cities, boroughs, incorporated towns, townships and institution districts, to place their respective officers and employes in the State Employes' Retirement Association; prescribing the procedure to be followed; and authorizing a special tax to pay the expenses incident thereto; placing certain duties upon the State Treasurer, and the fiscal officers of the said municipal units; prohibiting the future establishment of local pension or retirement systems; and providing in certain cases for the discontinuance of existing ones.

Mr. BOWER, from the Committee on Workmen's Compensation, reported as amended, House Bill No. 150, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," excluding services of real estate salesmen and real estate brokers and unsalaried newspaper correspondents from the definition of "employment."

Mr. KENNEDY, from the Committee on Game, reported as amended, House Bill No. 156, entitled:

An Act to amend section three hundred two of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," exempting for the duration of the present war, any persons in the armed forces from the payment of a fee to the Commonwealth for resident hunting licenses.

Mr. FLACK, from the Committee on Counties, reported as amended, House Bill No. 195, entitled:

An Act relating to assessment of real estate for taxation in counties of the second class.

Mr. ROOT, from the Committee on Building and Loan Associations, reported as amended, House Bill No. 486, entitled:

An Act to amend the act approved the fifth day of May, one thousand nine hundred thirty-three, (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further defining the rights, powers, duties, liabilities and immunities of building and loan associations and their shareholders and creditors.

Mr. BRETHERICK, from the Committee on Judiciary General, reported as amended, House Bill No. 501, entitled:

An Act regulating the lien of judgments; prescribing the procedure for the revival of judgments, and for the continuance of the lien thereof; and repealing certain acts and parts of acts.

Mr. BENTZEL, from the Committee on Education, reported as amended, House Bill No. 518, entitled:

An Act to amend section one thousand seven hundred twelve of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania; together with the provisions by which it shall be administered, an prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," prescribing the course in the history of the United States to be taught in high schools.

Mr. ROWLEY, from the Committee on Judiciary General reported as amended, House Bill No. 578, entitled:

An Act relating to chattel mortgages on livestock, poultry, farm machinery, farm equipment and crops, grown, designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties.

Mr. HANNON, from the Committee on Cities—Second Class, reported as amended, House Bill No. 608, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring upon said county court jurisdiction in certain criminal actions and in divorce, appeals from the Workmen's Compensation Board, and appeals from the Pennsylvania Liquor Control Board.

Mr. COOK, from the Committee on Boroughs rereported as amended, House Bill No. 273, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," by further regulating the affairs of boroughs, and revising, amending and changing the law relating thereto.

Mr. HANNON, from the Committee on Cities—Second Class, reported as committed, House Bill No. 609, entitled:

An Act to further amend sections seven and thirteen of the act approved the third day of May, one thousand nine hundred thirty-three, (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State and election officers; providing penalties; and repealing existing acts," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

BILL RE-REFERRED

Mr. WATKINS, from the Committee on Elections, returned with the recommendation that it be re-referred to the Committee on Cities—Second Class, House Bill No. 643, entitled:

An Act to amend clause (e) of section six and section seven of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and for the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by increasing the maximum compensation to be paid to the chief clerk and to counsel for the commission.

The SPEAKER. The bill is re-referred to the Committee on Cities—Second Class.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 71.

An Act to amend section three of the act approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 754), entitled "An act providing for the survey, construction, reconstruction, improvement, and maintenance of an Industrial State Highway between the cities of Chester and Philadelphia, and making the same a part of the system of State Highways; providing for the taking of certain roads and of certain private property therefor under the power of eminent domain, and the payment of damages by certain counties; and imposing certain powers and duties upon the Highway Commissioner and county commissioners," providing for ascertaining damages for the taking of private property and payment thereof in the same manner as provided by law in the case of State Highways.

HOUSE BILL No. 440.

An Act to further amend section seven hundred two of the act approved the fifth day of May, one thousand nine hundred thirty-three, (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof.

HOUSE BILL No. 462.

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States, or from any women's organization officially connected therewith, without a learners permit, examination, or additional fee, and while in such service the operation of motor vehicles without operator's license or motor vehicle registrations and the temporary suspension of existing laws requiring the same.

HOUSE BILL No. 533.

An Act to amend the title and Section 1 of and to add Section 2.1 2.2 2.3 and 2.4 to the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 496) entitled "An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands" providing that in counties of the seventh and eighth classes taxes on unseated lands shall be returned by the tax levying authorities to the county commissioners and collected by the county treasurer.

HOUSE BILL No. 644.

An Act to further amend sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence in or upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery and fixing fees therefor

HOUSE BILL No. 688.

An Act authorizing political subdivisions to refund money erroneously or inadvertently paid by persons and corporations into the treasury thereof for municipal improvements or upon municipal assessments liens whereof have been subsequently declared illegal and invalid

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

PERMISSION TO ADDRESS HOUSE

Mr. SARGE asked and obtained unanimous consent to address the House.

Mr. Speaker and fellow statesmen of the House, I want to quote to you very briefly from an article in the Philadelphia Inquirer, I think it was, dated Washington, D. C. The article is as follows:

> The traditional Easter Egg rolling on the White House lawn, called off last year has been cancelled again.
>
> This was disclosed today by the Agricultural Department in an appeal to parents, children and dealers to prevent the wasteful use of eggs, live baby chicks and ducklings during the Easter season.
>
> The announcement described cancellation of the White House egg rolling as "an example for the nation."

Mr. Speaker, in this manner I desire to call attention to Resolution No. 53 which I introduced in this House Thursday of last week. I think in view of the fact that we have a food shortage certainly this Legislature would be guilty of a great misdemeanor if it did not take action on this resolution immediately. The resolution will not do much good this year unless it is passed immediately because of the proximity of the Easter season. It has been estimated that perhaps if this resolution is not enacted we may again see the loss of over one million chickens and ducks in Pennsylvania which otherwise could be used for the Army which is now engaged in war. This is a patriotic measure and it is a war measure. It is not a political measure. It has often been said by the leaders of this Legislature that this is to be a war session, and I want to say that we have passed many bills that have nothing to do with the war. Here is an opportunity to balance the situation. There is need for this legislation to be passed promptly, and I say again if we don't pass this resolution we are only giving lip service in our effort to further the prosecution of the war, and I appeal to the Agricultural Committee to bring this resolution out immediately so that the people of Pennsylvania will know that we really are war conscious.

RESOLUTION

Mr. SARGE offered a privilege resolution which was twice read, considered and adopted as follows:

In the House of Representatives, April 7, 1943.

Whereas House Bill No. 404 entitled:

An Act securing certain rights under the various public employes' retirement acts to persons, in the employ of the State and its political subdivisions, who are compelled to leave such employment and to undertake war work.

the original copy of which was referred to the Committee on State Government Tuesday February 23rd has been lost

Be It Resolved, That the Chief Clerk of the House hereby is directed to furnish to the Committee on State Government a certified copy of House Bill 404 which copy shall be substituted for the original.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 386, entitled:

An Act to further amend clause six and nine of section one and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining State employes and original members and making further exception to compulsory membership in the system.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 546, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously renacted and amended by extending the provisions of the act for a further limited period of time by reducing the rate of tax; by eliminating the deduction for Federal taxes; by further defining net income authorizing the Department of Revenue to grant an additional extension of time for filing reports changing the method of reporting in certain cases reducing the interest penalty on unpaid taxes and making certain of the changes effected by this reenacting and amending act retroactive to a certain extent.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 544, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended, "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined; requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits; prescribing the method and manner of collecting such tax; conferring powers and imposing duties on the Department of Revenue, and persons, as herein defined, engaged in the sale of cigarettes at retail or wholesale; and providing penalties," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 545, entitled:

An Act to further amend section four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 547, entitled:

An Act to further amend the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies, limited partnerships, associations, joint-stock associations, copartnerships and persons, and by further defining the gross receipts tax liability of companies, limited partnerships, associations, joint stock associations, copartnerships and persons engaged in the sale of electric energy.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 548, entitled:

An Act to reenact and amend the title and the act, approved the ninth day of June, one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six—P. L. 13), entitled, "An act imposing an emergency State tax for a limited period of time on liquor, as herein defined, sold by the Pennsylvania Liquor Control Board; providing for the collection and payment of such tax; and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board," as previously reenacted and amended, by extending the provisions thereof for a further limited period of time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1056, entitled:

An Act abolishing the entire Mercantile License Tax System: repealing the various license taxes under said system except as to taxes already due; abolishing certain offices and employments; providing for the collection of delinquent taxes; providing for the final settlement of accounts between the Commonwealth and county treasurers; and making certain repeals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 722, entitled:

An Act to amend section one of the act, approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 782), entitled "An act providing that clerks assisting the registers of wills in the collection of inheritance taxes, in counties having a population of less than one million five hundred thousand inhabitants, shall be appointed and their compensation fixed by the Auditor General; and prescribing the method of their payment and that of other expenses incident to the collection of said taxes," by providing that the Secretary of Revenue shall appoint and fix the compensation of clerks assisting the register of wills in the collection of inheritance taxes in counties other than the first and second class and requiring the approval of the Secretary of Revenue to pay the compensation from such taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 723, entitled:

An Act to amend sections one, two and three of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 727) entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' authorizing the Auditor General to appoint investigators and appraisers and providing for their compensation," by giving the Secretary of Revenue complete supervision of appraisements in estate of residents decedents and the power to adopt rules and regulations; by conferring upon the Secretary of Revenue the power to employ necessary investigators and appraisers for the enforcement of the transfer inheritance tax laws to fix the compensation of permanent appraisers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 751, entitled:

An Act to amend scetion twelve, and to further amend section fourteen, and to amend sections fifteen, eighteen, twenty-two, twenty-three, twenty-six, twenty-nine, thirty-one, thirty-six, forty and forty-two of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by providing for certification to the Secretary of Revenue as to the necessity for the appointment of expert appraisers or those possessed of technical knowledge and for the approval by the Secretary of Revenue of the appointment of such expert appraisers and of the statements rendered by them for compensation; and for the monthly transmittal by the Secretary of Revenue of the returns of such appraisers and the recording by him thereof; vesting in the Secretary of Revenue the powers of the register of wills in certain cases; requiring duplicate tax receipts and the bond and monthly return to be sent to the Secretary of Revenue; prohibiting transfer of stock without certificate from the Secretary of Revenue, and penalty for violation; providing for refunds for erroneous inheritance tax payments on proof of the Secretary of Revenue and for dismissal by the Secretary of Revenue of appraisers for accepting fees or reward; vesting in the Secretary of Revenue the power to appoint and fix the compensation of, additional appraisers or experts employed for appraisal purposes and for their payment; and providing further for the collection by the Secretary of Revenue of all inheritance taxes due the Commonwealth from nonresident decedents and making monthly reports thereon to the State Treasurer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 768, entitled:

An Act to amend sections four hundred seven and one thousand two hundred and one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," to further reorganize the Departments of Revenue and of the Auditor General in such manner as to vest in the Department of Revenue the appointment, the fixing of the compensation, and the approval of the expense accounts and supervision of clerks, investigators, appraisers, expert appraisers, permanent appraisers, and other employees necessary to enable the registers of wills of the several counties to collect transfer inheritance taxes; vesting in the Secretary of Revenue the power to credit the commissions and other expenses and costs of certain accounting officers in the collection of the transfer inheritance tax.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The SPEAKER. The Chair is informed that the remainder of the bills on the first reading calendar are not on file, and therefore, will not be considered.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 836, entitled:

An Act to amend the title and sections four, six, seven and eight of the act approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 6) entitled "An act relating to national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor," by conferring certain powers and duties upon the State Council of Defense, local and district councils of defense; eliminating certain provisions no longer in effect; and providing penalties.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. LICHTENWALTER offered the following amendments:

Amend section 2, page 4, line 27 by striking out at the end of the line the following: "[matter deemed by the]," and inserting in lieu thereof the following: "matters directly or indirectly."

Amend section 2, page 4, line 28 by striking out at the beginning of the line the following: "[State Council essential]," and inserting in lieu thereof the word: "related."

They were agreed to.

The section was agreed to as amended.

The third, fourth, fifth and sixth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1003, entitled:

An Act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation

The first section was read.

On the question,

Will the House agree to the section?

Mr. LOVETT offered the following amendment:

Amend Sec. 1, page 1, line 4, by inserting after the word "County" the following: "to be selected by the Secretary of the Department of Highways with the approval of the commissioners of Allegheny and Westmoreland Counties."

On the question,

Will the House agree to the amendment?

Mr. LEYDIC. Mr. Speaker, I rise on this occasion to ask the membership of the House to vote down these amendments. This bill has been carefully prepared by the different departments and has been given approval by the Secretary of Highways, the Attorney General and the Administration. They are all of the opinion that no further amendments should be added to this bill and I, therefore, ask the membership of the House to vote down these amendments.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Leydic.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. LEYDIC. I shall Mr. Speaker.

Mr. LOVETT. Mr. Speaker I would like to ask the gentleman if the Commissioners of Allegheny County have been consulted on this bill.

Mr. LEYDIC. Mr. Speaker, I have talked with the Commissioners of Allegheny County.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if the Commissioners of Allegheny County have approved the present bill?

Mr. LEYDIC. They are in favor of the present bill, Mr. Speaker.

Mr. LOVETT. Mr. Speaker may I ask the gentleman if the Commissioners of Westmoreland County have been contacted on this bill.

Mr. LEYDIC. Mr. Speaker, the gentleman is the Representative from Westmoreland County.

Mr. LOVETT. Mr. Speaker, the gentleman is the sponsor of the bill. Does he know that the Commissioners of Westmoreland County have been consulted on this bill?

Mr. LEYDIC. Not as far as I am concerned, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, did the gentleman take his bill up with the Commissioners of Allegheny County?

Mr. LEYDIC. Mr. Speaker there is a copy of this identical bill on their desks, Mr. Speaker.

Mr. LOVETT. Mr. Speaker may I ask the gentleman if he took it up personally with the commissioners of Allegheny County.

Mr. LEYDIC. I did, Mr. Speaker.

Mr. LOVETT. May I ask the gentleman if he gave the same consideration to the Commissioners of Westmoreland County?

Mr. LEYDIC. I did not, Mr. Speaker.

Mr. LOVETT. May I ask the gentleman if he does not think that it would have been fair at least before this bill is passed that he gave the same consideration to the Commissioners of Westmoreland County?

Mr. LEYDIC. I think, Mr. Speaker, perhaps as a matter of courtesy, but I did not have the time. Furthermore inasmuch as the state is furnishing the funds for the building of this bridge I felt that the entire situation should be handled by the Secretary of Highways.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman from Allegheny if he would agree to hold this bill over, and give the same consideration to the Commissioners of Westmoreland County that he gave to the Commissioners of Allegheny County?

Mr. LEYDIC. I will not, Mr. Speaker.

Mr. LOVETT. That is all.

Mr. Speaker, I feel that since Mr. Leydic has given consideration to the Commissioners of Allegheny County in contacting them on this particular piece of legislation and they have agreed with him, since this bill affects Westmoreland and Allegheny counties I feel that it is only fair and just that the gentleman give the same consideration to the Commissioners of Westmoreland County. I feel that the people of Westmoreland County are vitally interested in this piece of legislation. I feel sure that they would like at least that their Commissioners be given the same consideration as has been given the Commissioners of Allegheny County. I, therefore, ask the membership of this House to support the amendment to this bill in order that the Commissioners of Westmoreland County may be given the same consideration as the Commissioners of Allegheny County.

Mr. LEYDIC. Mr. Speaker, I feel that the Commissioners of Westmoreland County have had proper notice. These bills have been printed and the Representatives should have taken these bills home; there has been plenty of time. In 1941 this bill passed the House unanimously. Three or four weeks ago I presented a bridge bill in the House and it reached second reading, at which time there were no amendments offered. I produced this bill which has the proper stamp of approval, and I feel that the membership is justified at this particular time in voting down this amendment, and I shall request the membership on both sides of the House to support my plea.

Mr. DENMAN. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Lovett.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. LOVETT. I shall, Mr. Speaker.

Mr. DENMAN. Mr. Speaker, will the gentleman from Westmoreland, Mr. Lovett state whether or not this bridge will be a detriment to Westmoreland County?

Mr. LOVETT. Mr. Speaker, in answer to the gentleman from Westmoreland, I do not think a bridge anywhere in Westmoreland County would be a detriment to Westmoreland County.

Mr. DENMAN. Mr. Speaker, will the gentleman admit that this would be beneficial to Westmoreland County?

Mr. LOVETT. Mr. Speaker, I do not think that I got the gentleman's question.

Mr. DENMAN. Mr. Speaker, will the gentleman admit that this bridge will be of benefit to Westmoreland County?

Mr. LOVETT. Mr. Speaker, in answer to the gentleman I would say that this bridge will possibly be a greater benefit to Westmoreland County if we have the advice of the Commissioners as to the location of the bridge.

Mr. DENMAN. Mr. Speaker, have the County Commissioners of Westmoreland County been down to this session of the legislature while this bridge bill has been pending?

Mr. LOVETT. To my knowledge, Mr. Speaker, the Commissioners of Westmoreland County have not been in Harrisburg while this bill has been pending.

Mr. DENMAN. Mr. Speaker, was the gentleman from Westmoreland at the Municipal Authorities hearing down in the Caucus Room last week or the week before, one of those two weeks?

Mr. LOVETT. Mr. Speaker, no, I do not think I was at that hearing.

Mr. DENMAN. The County Commissioners of Westmoreland County were there, Mr. Speaker. I wish to thank the gentleman from Westmoreland Mr. Lovett.

Mr. Speaker, I know of no reason why this bill should not pass or why the bridge should not be constructed on the part of Westmoreland County, and I ask the members of this House to cooperate with the sponsor of this bill, Mr. Leydic.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Denman.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENMAN. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, was the particular bill on the calendar and before the House at the time the gentleman from Westmoreland, Mr. Denman saw the Commissioners here in Harrisburg

Mr. DENMAN. This particular bill was on the calendar, Mr. Speaker.

Mr. LOVETT. At that time, Mr. Speaker?

Mr. DENMAN. Yes, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I want to explain to the membership of the House that these amendments only give the right to the Commissioners in Allegheny County and Westmoreland County to have a voice in saying where this bridge should be located in Westmoreland and Allegheny Counties.

Mr. Speaker, I think this is a fair amendment and I think that the Commissioners of Westmoreland County and the people of Westmoreland County through some representation should be given some say in the location of this bridge. I ask the membership of the House to vote for these amendments.

Mr. PETROSKY. Mr. Speaker, I wish to say at this time that under House Bill 1003, Printer's No. 292, amendment to which have been offered, here is a measure which deals entirely with the welfare of the people in that sector of Allegheny County and the welfare of the people in that sector of Westmoreland County who would be most interested in the proposal which has been sponsored by the gentleman from Allegheny.

I wish to say, Mr. Speaker, in my humble estimation that certainly the more direct governmental bodies which have the welfare of those two counties in their hands in regard to governmental procedure should be given a hand in deciding where the bridge is to be constructed. I feel that on a direct home rule basis a local county certainly would be able to show the Department of Highways the best possible location for such a structure inasmuch as those authorities are much more acquainted with the problem in their individual counties than the Department of Highways located in Harrisburg. I feel that the amendment should be placed in the bill specifically for the purpose of guaranteeing to the people of each of these several communities a voice as to the proper place in which to construct the bridge. In regard to this, Mr. Speaker, may I point out that we have in each sector some progressive community which will be greatly benefited by such a structure, but certainly they will not be benefited by this structure if it is not placed at an advantageous point wherein the people would be taken care of. I feel that if those local bodies of the government the privilege of sitting in with the Department of ways' agents that they would more nearly come to fect conclusion as to where the greater good would be derived from the construction proposed by this measure.

Mr. Speaker, I am going to ask the Members of the House to vote for the amendments in regard to home rule and in regard to the welfare of the people in the County of Allegheny and the welfare of the people in the County of Westmoreland who are affected by this proposal.

On the question,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Lovett and Mr. Modell.

YEAS—31

Bentzel,
Boory,
Brigerman,
Brunner, P. A.,
Chervenak,
Cohen,
Coleman,
Cullen,
Elliott,
Grant,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Neill,
Owens,
Petrosky,
Polaski,
Regan,
Schuster,
Snider,
Swope,
Weiss,
Wright,

NAYS—130

Auker,
Baker,
Barrett,
Barton,
Boies,
Bonawitz,
Boorse,
Bower,
Bradley,
Bretherick,
Brice,
Brown,
Campbell,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Dix,
Duffy,
Elder,
Ely,
Erb,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gates,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lyons,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
Powers,
Readinger,
Reese, D. P.,
Reese, R. E.,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Serrill,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Wood, L. H.,
Worley,
Yeakel,
Fiss,
Speaker.

So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second, third, fourth, fifth, sixth and seventh sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreably to order,

The House proceeded to the second reading and consideration of House Bill No. 521, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 16), entitled "An act to define real estate brokers and estate salesmen; and providing for the licensing, ation, and supervision of resident and non-resident real estate brokers and real estate salesmen and their business," by providing for the regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business by the State Real Estate Board, instead of the Department of Public Instruction.

The first section was read.

On the question,

Will the House agree to the section?

Mr. WILLIAM M. HUNTER offered the following amendments:

Amend sec. 1 (Sec. 7), page 10, lines 2 and 3, by striking out the words "February twenty-eighth at the end of twelve months after it was issued" and inserting in lieu thereof "[issued] on the last day of February immediately following the date of issue."

Amend sec. 1 (Sec. 7), page 10, lines 22 and 23, by striking out the words "February twenty-eighth at the end of twelve months after it was issued" and inserting in lieu thereof "[issued] on the last day of February immediately following the date of issue".

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second readnig and consideration of House Bill No. 750, entitled:

An Act to further amend subsection (a) of section twenty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estate of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by providing for the filing of petitions for the enforcement of payment of legacies charged upon real estate by executors administrators cum testamento annexo and administrators de bonis non cum testamento annexo

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 368, entitled:

An Act providing that in the post-war period owners of building in counties of the second class may improve enlarge remodel repair or replace the same with no increase of assessed valuation for tax purposes for a certain period of time and authorizing in certain cases the said counties and the political subdivisions therein to convey free of cost land to individuals for building purposes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS ON FINAL PASSAGE

The SPEAKER. The bills on final passage are not on file and will not be considered.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 703, entitled:

An Act to further amend sections two and thirty of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies, and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," further defining the word "owner;" and increasing amounts to be paid by State for livestock, poultry and game birds.

On the question,

Will the House agree to the bill on third reading?

Mr. SMITH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 1 of title, by striking out the words "sections two and" and inserting in lieu thereof: "section".

Amend title, page 2, lines 7 and 8 of title, by striking out the words "further defining the word "owner" and"

Amend Sec. 1, page 2, line 1, by striking out the words "Sections two and" and inserting in lieu thereof: "section".

Amend Sec. 1, page 3, line 7, by striking out the word "are" and inserting in lieu thereof: "is".

Amend Sec. 1 (Sec. 2), page 3, lines 8 to 28, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 2), page 4, lines 1 to 10, both inclusive by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 262, entitled:

An Act providing for the temporary appointment of policemen in boroughs incorporated towns and townships of the first class for a limited period without conferring civil service status upon the appointees.

On the question,

Will the House agree to the bill on third reading?

Mr. HEATERINGTON. Mr. Speaker, referring to Senate Bill 262, I think, if I am not mistaken, we passed a similar bill in the House two or three weeks ago introduced by the gentleman from Berks, Mr. McAtee. That bill is now over in the Senate.

BILL POSTPONED

Mr. HEATHERINGTON. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

TIME EXTENDED ON BILL

Mr. KRISE. Mr. Speaker, I move that the time on House Bill No. 558, Printer's No. 199, entitled:

An Act to further amend section two to add Sections 2.1 2.2 2.3 and 2.4 to and to amend Section 5 of the act approved the twenty-ninth day of March one thousand eight hundred ninety-nine (P. L. 21) entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" by changing qualifications as to education and fitness necessary before taking examination further regulating the business or practice of certified public accountants prohibiting such practice by corporations and by individuals copartnerships or associations under any name other than that of the person or persons so practicing and fixing penalties

on page 35 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 198, as follows:

An Act to amend section nine hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" continuing the liability of taxpayers after the tax collector has been exonerated

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred fifteen of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 915 Exonerations The supervisors shall at all times make abatements or exonerations for uncollectible occupation taxes mistakes indigent persons unseated lands et cetera as to them shall appear just and reasonable The township secretary shall enter in a book or books to be kept for that purpose the names of all persons abated or exonerated together with the reason why the amount of the tax and date when made and given to the collector a certificate directed to the treasurer stating the nature of the tax and the amount exonerated in order to make settlement accordingly When a tax collector has been exonerated from the collection of certain taxes such action by the supervisors shall not in any way have the effect of discharging or limiting the liability of the taxable but all methods of enforcing collection of taxes shall continue as though no exoneration had been made

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak.
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 330, as follows:

An Act relative to the printing for the Commonwealth of Pennsylvania to establish the requirements of responsible bidders to prescribe penalties for the violation of the provisions of this act and to repeal all acts and parts of acts inconsistent with the provisions of this act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All printing for which the Commonwealth is chargeable or which is paid for with funds appropriated wholly or in part by the Commonwealth must be printed within the Commonwealth of Pennsylvania except such as cannot be legally printed within the Commonwealth

1 Printing firms who are desirous of presenting bids for Commonwealth printing shall be required to establish consideration as a responsible bidder as follows

(a) As a condition to consideration as a responsible bidder printing concerns must file with the Secretary of Property and Supplies a sworn statement to the effect that employes in the employ of the concern which is to produce such printing are receiving the prevailing wage rate and are working under conditions prevalent in the locality in which the work is produced

(b) Whenever a collective bargaining agreement is in effect between an employer and employes who are represented by a responsible organization which is in no way influenced or controlled by the management such agreement and its provisions shall be considered as conditions prevalent in said locality and shall be the minimum requirements for being adjudged a responsible bidder under this act

(c) In case any dispute arises as to what are prevailing rates of wages for such work applicable to the contract which cannot be adjudged by the contracting officer the matter shall be referred to the Secretary of Property and Supplies for determination and his decision thereon shall be conclusive on all parties to the contract

2 State-owned and State-aided printing establishments shall be exempt from the above provisions Provided however That these institutions shall not perform printing other than the needs and requirements of these institutions

Section 2 Any officer or employe of the Commonwealth who shall knowingly accept any printed matter or is found to have had printed matter produced under conditions other than set forth in this act and which is paid for with funds appropriated wholly or in part by the Commonwealth shall be subject to a fine of fifty dollars ($50) for each and every offense

In default of payment of such fine the following penalties shall be applied ten (10) days in jail for first offense and thirty (30) days for all subsequent offenses All such fines shall be paid to the treasurer of the Commonwealth

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 This act shall become effective on the first day of July one thousand nine hundred and forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons.
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 541, as follows:

An Act to further amend subsection fourteen of section six hundred two of the act approved the twenty-nine day day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" exempting certain coin operated motion picture machines from provisions of the act requiring special permits

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six hundred two subsection fourteen of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalteis" as reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred and thirty-seven (P. L. 1762) is hereby further amended to read as follows

Section 602 Unlawful Acts

* * * *

(14) It shall be unlawful for any licensee except club licensees to permit in any licensed premises or in any place operated in connection therewith dancing theatricals or floor shows of any sort or moving picture exhibitions [of any sort] other than such as are exhibited through machines operated by patrons by the deposit of coins which project pictures on a screen not exceeding in size twenty-four by thirty inches and which forms part of the machine unless the licensee shall first have obtained from the board a special permit to provide such entertainment or for any licensee under any circumstances to permit in any licensed premises any lewd immoral or improper entertainment regardless of whether a permit to provide entertainment has been obtained or not The board shall have power to provide for the issue of such special permits and to collect a fee for such permits equal to one-fifth of the annual license fee but not less than twenty-five ($25) All such fees shall be paid into the State Stores Fund No such permit shall be issued in any municipality which by ordinance prohibits amusements in licensed places Any violation of this clause shall in addition to the penalty herein provided subject the licensee to suspension or revocation of his permit and his liquor license

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Auker,
Baker,
Barrett,
Barton,
Fleming,
Flynn,
Foor,
Freed,
Laughner,
Lee,
Leisey,
Leonard,
Robertson,
Root,
Rose, S.,
Rose, W. E.,

Bentley,
Bentzel,
Boies,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook.
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Flack,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss, Speaker.

NAYS—4

Bonawitz,
Fox,
Reese, D. P.,
Taylor,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 804, as follows:

An Act to further amend subsection (d) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" making certificates from an official speedometer testing station prima facie evidence of the facts contained therein in appeals taken from suspension or revocation of operating privilege

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (d) of section one thousand two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forefeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 1002 Restrictions as to Speed

* * * * *

(d) (1) When the rate of speed of any vehicle is timed on any highway within a business or residence district where official speed limit signs are erected as provided in this section for the purpose of ascertaining whether or not the operator of such vehicle is violating a speed provision of this act such time shall be taken by not less than two (2) peace officers one of whom shall have been stationed at each end of a measured stretch and no conviction shall be had upon the unsupported evidence of one (1) peace officer except as hereinafter provided and no such measured stretch shall be less than one-eighth (⅛) of a mile in length Under all other conditions the rate of speed shall be timed for a distance of not less than one quarter (¼) mile by a peace officer using a motor vehicle equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation An official certificate from an official speedometer testing station showing such test was made that the speedometer was adjusted for accuracy the date thereof and the degree of accuracy of such speedometer after adjustment shall be competent and prima facie evidence of the fact that such certificate was issued by an official speedometer testing station appointed by the secretary and of the accuracy of the speedometer in every proceeding where an information is brought charging a violation of this section or in any proceeding where an appeal is taken from suspension of operating privilege based on a violation of this section

(2) The secretary shall have the authority to appoint official stations for testing speedometers and may rescribe regulations as to the manner in which such tests shall be made and shall issue to such stations official inspection certificate forms

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Flack.
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 807, as follows:

An Act to further amend subsection (b) of section one thousand two hundred six of the act approved the first day of May one thousand nine hundred twenty-nine P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by including certain pleas to be certified by the clerks of court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section one thousand two hundred six of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an approriation and providing for refunds" as amended by the act aproved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 1206 Report of Conviction

* * * *

(b) The clerk of any court of record of this Commonwealth shall within ten (10) days after a plea of guilty non vult nolo contendere or final judgment of conviction or acquittal of any of the provisions of this act send to the department a certified copy of such plea judgment of conviction or acquittal Certified copies of the judgment shall also be forwarded to the department upon conviction or acquittal of any person of manslaughter or other felony or misdemeanor in the commission of which a motor vehicle was used

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bentley,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Flack.
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,

Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 841, as follows:

An Act to further amend section two hundred twenty-five of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty-five of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 831) is hereby further amended to read as follows

Section 225 Issuing Agent to Be Agent of the Commonwealth Monthly Payment to State Treasurer Duplicate Report The issuing agents in the several counties shall be agents of the Commonwealth for the collection of said license fees unless and until the Department of Revenue shall determine with the approval of the Governor to issue all of said licenses directly Provided That the Department of Revenue may recall the appointment of any agent at any time with or without cause and shall recall the appointment of any agent either upon receipt of evidence that such agent has not complied with the requirements of this act or upon receipt of a recommendation from the Commissioner of Fisheries that such agent be recalled because of carelessness in the issuance of licenses For services rendered in collecting and paying over the said fees the said issuing agents as long as they continue to act in that capacity shall be allowed to retain the sum of ten cents (10c) for each resident and non-resident fishing license which amount shall be full compensation for services rendered by them under the provisions of this act Such compensation shall be retained by the respective issuing agents said compensation to cover among other things the cost of issuing licenses postage mailing returns and bonding of said agents

All license fees except said agent's fees paid to an issuing agent under this act shall be by such agent paid into the State Treasury through the Department of Revenue at least once a month to be applied to the purposes hereinafter provided Such issuing agent shall make a return to the Department of Revenue upon a form to be supplied by the Department of Revenue and shall in all such cases forward a duplicate of such report to the Commissioner of Fisheries at Harrisburg

Every agent designated to issue fishing licenses unless already under bond to the Commonwealth in connection with public funds shall give bond to the Commonwealth in [the sum of] such sum as shall be fixed by the Secretary of Revenue but not less than one thousand dollars ($1,000) before the annual supply of licenses is delivered to him

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Costa,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane.
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss.
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 851, as follows:

An Act to amend section one thousand one hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the salary of the controller

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1102 Salary of Controller The salary of the controller shall be fixed by ordinance In townships having a population of fifty thousand or more the salary of the controller shall not exceed four thousand dollars In townships having a population of forty thousand or more but less than fifty thousand inhabitants the salary of the controller shall not exceed [thirty-six hundred] four thousand dollars In townships having a population of thirty thousand or more but less than forty thousand inhabitants the salary of the controller shall not exceed [twenty-four hundred] three thousand dollars In townships having a population of twenty thousand or more but less than thirty thousand inhabitants the salary of the controller shall not exceed [one thousand five hundred] two thousand seven hundred dollars In townships having a population of fifteen thousand or more but less than twenty thousand inhabitants the salary of the controller shall not exceed [twelve hundred] two thousand dollars In townships having a population of ten thousand or more but less than fifteen thousand inhabitants the salary of the controller shall not exceed nine hundred dollars In townships having a population of less than ten thousand and not less than five thousand the salary of the controller shall not exceed seven hundred and fifty dollars In townships having a population of less than five thousand and not less than twenty-five hundred the salary of the controller shall not exceed five hundred dollars In townships having a population of less than two thousand five hundred the salary of the controller shall not exceed three hundred dollars

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LEVY. Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Winner.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. WINNER. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to inquire of the gentleman from Montgomery as to whether or not this bill provides an increase in the salaries of first class township controllers, and various scales of raise in pay.

Mr. WINNER. Mr. Speaker, in answer to the gentleman from Philadelphia, Mr. Levy, I would say that this bill does grant an increase in pay to the controllers in townships of the first class by ordinance passed by the township commissioners, the governing body of the township.

Mr. LEVY. May I further inquire of the gentleman from Montgomery if this particular measure, House Bill 851, would ask the Legislature to correct a situation in the particular case that requires the permission of the Legislature for the township to do so, is that correct?

Mr. WINNER. That is correct, Mr. Speaker.

Mr. LEVY. I thank the gentleman.

Mr. Speaker and members of the House, House Bill 851, about which we are debating at the present time, is apparently a very innocent piece of legislation, and knowing the gentleman from Montgomery as I do, I know that he means it to be as such. Yet, Members of the House, I regret that I cannot permit this bill to go on to final passage without commenting on both the purpose of the measure and the results which it attempts to attain. Certainly, very obviously, gentlemen, we are very gradually, rather slowly, of course, but very gradually seeing a certain pattern being evolved in the Commonwealth, the same sort of pattern about which I spoke a few weeks ago, relative to candidates who run for office on one promise and the same candidates when elected adopt another kind of performance.

Mr. Speaker, at the outset I wish to say that I am not referring to the gentleman from Montgomery, but it is a bill that he introduced into this House and a bill which he asks the House to approve that makes the issue before the House become quite clear. The bill provides that there shall be a raise in pay for politicians. Gentlemen, we had before the House for two weeks at least what is commonly called the Teachers Bonus Bill of Pennsylvania. I listened rather attentively to the Republican proponents of that bill when they refused on this floor an amendment introduced by the gentleman from Philadelphia, Mr. Lee, and the gentleman from Philadelphia, Mr. O'Brien, which would give the school teachers of Pennsylvania an added rise-in-cost-of-living wage that was not brought up by the particular bill on debate. The same Republican majority now brings House Bill 851 out of committee. The same Republican majority that permits House Bill 851 to be placed upon third reading in this House is the same political party, gentlemen, that deprived the teachers of a little more money during war time. Unfortunately, gentlemen, the two bills are not on the same level, primarily because House Bill 851 has nothing to do with the war emergency, which in my opinion deserves less attention than the bill which was discussed last week relative to the teachers. Yet, within the wisdom of the Republican party they have seen fit to bring this bill out on the floor of the House and deny the same right or less right to the teachers of Pennsylvania.

Now, Mr. Speaker, what does this bill propose? It proposes to give the first class townships of Pennsylvania the right to grant the following increases: those controllers making three thousand six hundred dollars a year are to be given four thousand dollars a year.

Last week when the plea was made on this floor for another one hundred dollars for teachers earning up to twenty-five hundred dollars, the Republican party said, We cannot do it. Oh, I know what might be the answer of the gentlemen on the other side. They may say that the one bill would cost the State of Pennsylvania some money, while on the other hand House Bill 851 only places the obligation upon the local community. I say to you, gentlemen, spending money by the Commonwealth of Pennsylvania or by the local community in first class townships of Pennsylvania, is still spending money, and the money comes from the taxpayers of Pennsylvania.

Now, Mr. Speaker, House Bill 851 provides money for politicians. House Bill 816 provided money for teachers. That may be the difference. That, gentlemen, is what compels me this afternoon to arise in opposition to House Bill 851. Is the Republican party going to say to the people of Pennsylvania that they are following the Republican party in the United States by serving politicians and politicians only to the detriment of the teachers in their state or any other state? I say to the gentleman from Montgomery and I say to the Republican majority in this House, let us be clear on one issue without raising the cry of politics, let us be clear on the issue of what we mean. If House Bill 851 provides money for politicians and the Republican party favors House Bill 851, the amendments of House Bill 816 last week provided less money for the smaller bracket teachers in their own sphere of earning capacity, so then I say the Republican party has brought the issue clearly home. They are for politicians frankly and honestly, and are not for the teachers of Pennsylvania. They are not, I might say, for any other group that do not concern themselves with a political flavor.

Mr. Speaker, I say for the Members of my party our position is clear, we were for amending House Bill 816, we were forgiving the smaller bracketed teachers in the Commonwealth of Pennsylvania another $100.

POINT OF ORDER

Mr. CORDIER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Lackawanna will state his point of order.

Mr. CORDIER. Mr. Speaker, the gentleman from Philadelphia is not speaking on the bill before the House.

The SPEAKER. The point of order is very well taken. The gentleman will confine himself to the bill before the House.

Mr. LEVY. In regard to your interpretation, Mr. Speaker, or rather your ruling on the point of order, might I only suggest that I am attempting to point out to the membership of the House the similarity in the two bills, one having been discussed and the other which is before the House at the present time, and I feel that I am within the purview of what we call order in the House.

The SPEAKER. The Chair has no recourse. The question before the House is on House Bill 851, Printer's No. 304. There is nothing in this bill concerning House Bill 816. The Chair has only the recourse of stating the question before the House.

Mr. LEVY. Mr. Speaker, I might only add in support of my argument, that House Bill 816 which was discussed before in the House, only amended a former Act of this House, and I am certainly in order, I believe, when I discuss the amendments to an Act that was passed a session ago.

The SPEAKER. The Chair insists that the gentleman confine himself to the question before the House.

PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. COHEN. Mr. Speaker, is it within the rules of the House to discuss on the floor of the House the laws of the Commonwealth of Pennsylvania?

The SPEAKER. The Chair for the information of the House will read Rule No. 3, as follows:

> He shall preserve order and decorum and in debate shall prevent personal reflection, and confine members to the question under discussion. When two or more members shall rise at the same time, he shall name the one entitled to the floor.

The Chair will also read rule 63 for the information of the House, as follows:

> When a member is about to speak in debate, or to communicate any matter to the House, he shall rise and respectfully address himself to "Mr. Speaker," confining his remarks to the subject before the House, and avoiding personal reflections.

The Chair will also say to the gentleman that the point of order having been raised, the Chair had no recourse. The Chair is of the opinion that House Bill 816 has no direct relation to this bill. Certainly the gentleman would be allowed to discuss the laws of the Commonwealth; but he also would be confined by the point of order raised by the gentleman from Lackawanna, Mr. Cordier.

Mr. COHEN. Mr. Speaker, do I understand then, I did not get the Speaker's statement quite clearly, but I think I heard this part of it, that the gentleman would not be out of order if in his remarks on the present bill he were to discuss the laws of the Commonwealth of Pennsylvania?

The SPEAKER. The Chair is trying to make clear to the gentleman from Philadelphia, providing the law relates to the question before the House, then the gentleman certainly would be permitted to discuss the law.

Mr. COHEN. Am I to understand then, Mr. Speaker, that there can be no debate on any bill before this House that touches any of the laws, including the constitution of Pennsylvania, or any reference thereto, if it does not specifically refer to the bill in question?

The SPEAKER. The Chair did not state it that way, and the rules do not read that way.

Mr. COHEN. I am trying to be clear, Mr. Speaker.

The SPEAKER. The rules deal with the subject matter before the House.

Mr. COHEN. Do I understand then, Mr. Speaker, in any debate on a bill before this House, that should it in any way refer to any law of the Commonwealth, such other law cannot be discussed?

The SPEAKER. The Speaker believes he has answered that question. If the law is germane to the subject, if it pertains to the discussion of the subject which is primarily before the House.

Mr. COHEN. May I then ask this, Mr. Speaker, would the point of order raised require the Speaker to impose his judgment as to whether or not the bill under discussion was germane to the other laws being discussed?

The SPEAKER. The Chair is unable to understand that query. Will the gentleman please repeat it?

Mr. COHEN. The question I asked was this, Mr. Speaker: when a point of order is raised that the person on the floor is not debating the subject before the House, or if in debate reference is made to any other law of the Commonwealth, then is it within the right of the Speaker to decide whether or not the two matters are related?

The SPEAKER. The Chair would inform the gentleman from Philadelphia that is the intent of the rule. The rule says that the Speaker shall endeavor to have the Member confine himself to the subject.

Mr. COHEN. Mr. Speaker, in the discussion of a subject before the House, is it permissible to make comparison of facts which are known to the Members of the House, although no reference is made to any particular legislation?

The SPEAKER. Any member in discussing a question before the House naturally can compare facts, if those facts are necessary to prove his point, if they are germane and if they are pertinent to the subject before the House.

Mr. COHEN. I thank you, Mr. Speaker.

Mr. LEVY. Mr. Speaker, House Bill No. 851 is a bill to increase the salary of politicians. You will note, gentlemen, that the bill makes no reference to the war emergency; the bill makes no reference as to a temporary period of time. The bill is apparently an effort to give politicians more money. Now, how could the leadership of the Republican party dare come out in the open and ask for support of a bill to raise wages of politicians, and understand me, gentlemen, in the $3600 bracket, when they have denied by their own action the right to give teachers a smaller raise in pay who are only making up to $2,499? Then, gentlemen, remember that their denial to the teachers was for a limited period of time only, for the duration of this present emergency.

I say this afternoon we are establishing a very dangerous precedent. I think that history books will prove that dictatorships in Europe were started by favoritism to politicians and denial of rights to the people. I charge this afternoon that this is exactly what House Bill 851 does when we know the action which this House took a few weeks ago on other legislation. I say, gentlemen, like one of the Republican Members said only yesterday, maybe we have to be bombed, maybe we have to have something serious happen to our own soil and our own people, our own children, before the Republican majority in Pennsylvania wakes up to the fact that we are fighting a war, that we have pledges of the Governor to keep. I say to you, gentlemen, House Bill 851 should be defeated on the ground that it serves politicians to the detriment of the taxpayers of Pennsylvania.

Mr. CORDIER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Levy.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. LEVY. I shall Mr. Speaker.

Mr. CORDIER. Mr. Speaker I desire to inquire of the gentleman from Philadelphia how he voted on the bill that raised the salaries of teachers of the Commonwealth, which was before this House last week?

Mr. COHEN. Mr. Speaker—

The SPEAKER. Will the gentleman yield?

Mr. COHEN. I yield, Mr. Speaker.

The SPEAKER. The interrogation is out of order.

QUESTION OF INQUIRY

Mr. CORDIER. Mr. Speaker, I rise to a question of inquiry.

The SPEAKER. The gentleman from Lackawanna will state his question of inquiry.

Mr. CORDIER. The gentleman, Mr. Speaker, in his remarks has been given very wide latitude on the question of discussing any bill which is not germane to the subject before the House. He was allowed to use the increase in the salaries of teachers in his argument, and I think I am entitled to have the gentleman give me an answer to my question.

The SPEAKER. The gentleman from Lackawanna, Mr. Cordier, raised the point of order against the gentleman from Philadelphia, Mr. Levy, but is certainly out of order in his present interrogation. The Chair so rules.

Mr. CORDIER. I thank you, Mr. Speaker.

Mr. COHEN. May I say, Mr. Speaker, "Let he who hath not sinned cast the first stone."

Mr. WINNER. Mr. Speaker, the gentleman from Philadelphia, Mr. Levy, has picked on an innocent bill introduced by myself in order to make his daily hour speech. This bill, gentlemen of the House, is a bill which would give the commissioners of first class townships the right to fix by ordinance the salary of the controller.

I come from the county of Montgomery, which has a goodly number of first class townships which are known throughout the state of Pennsylvania, first class townships which have no bonded indebtedness and which run their government in a way that government should be run. Montgomery County has no bonded indebtedness, it has the lowest tax rate of any debt-free county in Pennsylvania. When Mr. Levy, the gentleman from Philadelphia, says that this is a bill to raise the salaries of politicians, then it would be a good thing if other political subdivisions of this state would have the type of men to run their government that we have in Montgomery County.

This is a home rule bill. It leaves entirely to the political subdivision and their governing bodies the right to raise salaries and put a ceiling on the salaries which they are to receive. I ask the Members of the House to vote "aye" on this bill.

Mr. COHEN. Mr. Speaker, the gentleman from Montgomery very clearly stated his position on this bill. Frankly I don't know, but I don't think there is anyone on this side who has any quarrel with this bill as a bill and for the practical result to be obtained. I am very much in accord with the gentleman from Montgomery when he says this is a home rule bill, and we have no quarrel with home rule. I have been on the floor many times during the past sessions and in this session and I have been talking home rule. As a matter of fact I was interested in home rule particularly in the Charter Act for Philadelphia, but the gentlemen on the other side would not give us that in 1939. Home rule ought to mean that the commissioners of first class townships ought not to have to come to Harrisburg and ask to get their salaries raised. If they have good people in Montgomery County who know how to run their government, and I can attest the fact that the gentlemen in Montgomery County do know how to run their government, why is it necessary to have every two years pleas in Harrisburg from these men to get permission to do what they ought to be able to do themselves? That is home rule, and not this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Schuster, Bentley and Lovett asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—105

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Elder,
Ely,
Erb,
Flack,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Hall,
Hannon,
Hare,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Royer,
Serrill,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Winner,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—68

Baker,
Barrett,
Bentley,
Bentzel,
Boory,
Brigerman,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Cohen,
Coleman,
Croop,
Cullen,
Dillon,
Dix,
Duffy,
Finnerty,
Flynn,
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Regan,
Reynolds,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PARLIAMENTARY INQUIRY

Mr. LEVY. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. LEVY. Mr. Speaker, a member who was in the hall of the House at the time the roll was called and did not vote, left the hall of the House and then returned on verification, is he permitted to vote?

The SPEAKER. A Member who was in the hall of the House at the time the roll was called is entitled to vote.

Mr. LEVY. Mr. Speaker, does that ruling apply even though he did not vote at the time he was in the hall of the House?

The SPEAKER. The gentleman has the privilege to vote.

Mr. LEVY. I thank you, Mr. Speaker.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 871, as follows:

An Act to further amend sections two three hundred five paragraph (4) of section six hundred two and section six hundred three of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receits from State stores and of fees and imposing penaties" by defining "Official Seal" and authorizing the designation of wholesale or retail stores

The General Assembly of the Comonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections two three hundred five paragraph (4) of section six hundred two and section six hundred three of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34)) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) are hereby further amended to read as follows

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Association" shall mean a partnership limited partnership or any form of unincorporated enterprise owned by two or more persons

"Board" shall mean the Pennsylvania Liquor Control Board of this Commonwealth

"Club" shall mean any reputable group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or lawful convenience having some primary interest and activity to which the sale of liquor shall be only secondary which if incorporated has been in continuous existence and operation for at least one year and if first licensed after the effective date of these amendments shall have been incorated in this Commonwealth and if unincorporated for at least ten years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a clubhouse or quarters for the use of members Continuous existence must be proven by satisfactory evidence The board shall refuse to issue a license if it appears that the charter is not in possession of the original incorporators or their direct or legitimate successors The club shall hold regular meetings conduct its business through officers regularly elected admit members by written application investigation and ballot and charge and collect dues from elected members and maintain such records as the board shall from time to time prescribe

"Original container" shall mean all bottles casks kegs or other suitable containers that have been securely capped sealed or corked by the manufacturer at the place of manufacture with the name and address of the manufacturer of the malt or brewed beverages contained or to be contained therein permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing the same or to a label securely affixed to a bottle

"Corporation" shall mean a corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Hotel" shall mean any reputable place operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations with meals and which in a city has at least ten and in any other place at least six permanent bedrooms for the use of guests a public dining room or rooms operated by the same management accommodating at least thirty persons at one time and a kitchen apart from the public dining room or rooms in which food is regularly prepared for the public

The word "alcohol" means ethyl alcohol originally produced by the distillation of any fermented liquid whether rectified or diluted with or without water whatever may be the origin thereof and shall include synthetic ethyl alcohol but shall not mean or include ethyl alcohol whether or not diluted that has been denatured or otherwise rendered unfit for beverages purposes

"Liquor" shall mean and include any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic including all drinks or drinkable liquids preparations or mixtures and reused recovered or redistilled denatured alcohol usable or taxable for beverage purposes which contain more than one-half of one per cent of alcohol by volume except pure ethyl alcohol and malt or brewed beverages

"Malt or Brewed Beverages" means any beer lager beer ale porter or similar fermented malt liquor containing one-half of one per centum or more of alcohol by volume by whatever name such liquor may be called

"Manufacturer" shall mean any person association or corporation engaged in the producing manufacturing distilling rectifying or compounding of liquor alcohol and malt or brewed beverages in this Commonwealth or elsewhere

"Municipality" shall mean any city borough incorporated town or township of this Commonwealth

"Official Seal" shall mean and include any insignia approved by the board that is required to be affixed to a package as herein defined

"Package" shall mean any container or containers or receptacle or receptacles used for holding liquor or alcohol as marketed by the manufactured

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof except as to incorporated clubs the term "person" shall mean such individual or individuals who under the by-laws of such club shall have jurisdiction over the possession and sale of liquor therein

"Restaurant" shall mean a reputable place operated by responsible persons of good reputation and habitually and principally used for the purpose of providing food for the public the place to have an area within a building of not less than four hundred square feet equipped with tables and chairs accommodating at least thirty persons at one time

"Sale" or "Sell" shall include any transfer of liquor alcohol or malt or brewed beverages for a consideration

Section 305 Sales by Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall keep in stock for sale such classes varieties and brands of liquor and alcohol as the board shall presribe If any person shall desire to purchase any class variety or brand of liquor or alcohol which any such store does not have in stock it shall be the duty of such store immediately to order the same upon the payment of a reasonable deposit by the purchaser in such proportion of the approximate cost of the order as shall be prescribed by the regulations of the board The customer shall be notified immediately upon the arrival of the goods

Unless the customer pays for and accepts delivery of any such special order within five days after notice of arrival the store may place it in stock for general sale and the customer's deposit shall be forfeited

Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels restaurants clubs and railroad pullman and steamship companies licensed under this act and under the regulations of the board to pharmacists duly licensed and registered under the laws of the Commonwealth and to manufacturing pharmacists and to reputable hospitals approved by the board or chemists The board may sell to registered pharmacists only such liquors as conform to the Pharmacopoeia of the United States the National Formulary or the American Homeopathic Pharmacopoeia All other sales by such stores shall be at retail No liquor shall be sold except for cash except that the board may by regulation authorize the acceptance of checks for liquor sold at wholesale The board shall have power to designate certain stores for wholesale or retail sales exclusively

Whenever any checks issued in payment of liquor or alcohol purchased from State Liquor Stores by persons holding wholesale purchase permit cards issued by the board shall be returned to the board as dishonored the board shall charge a fee of five dollars per hundred dollars or fractional part thereof plus all protest fees to the maker of such check submitted to the board Failure to pay the face amount of the check in full and all charges thereon as herein required within ten days after demand has been made by the board upon the maker of the check shall be cause for revocation or suspension of any license issued by the board to the person who issued such check and the cancellation of the wholesale purchase permit card held by such person

No liquor or alcohol shall be sold to any purchaser except in a package [sealed with] bearing the official seal of the board required by this act which package shall not be opened on the premises of a Pennsylvania Liquor Store No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor or alcohol to be consumed on the store premises nor shall any person consume any liquor or alcohol on such premises

The board may sell tax exempt alcohol to the Commonwealth of Pennsylvania and to persons to whom the board shall by regulation to be promulgated by it issue special permits for the purchase of such tax exempt alcohol

Such permits may be issued to the United States or any governmental agency thereof to any university or college of learning any laboratory for use exclusively in scientific research any hospital sanitorium eleemosynary institution or dispensary to physicians dentists veterinarians and pharmacists duly licensed and registered under the laws of the Commonwealth of Pennsylvania to manufacturing chemists and pharmacists or other persons for use in the manufacture or compounding of preparations unfit for beverage purposes

Every purchaser of liquor or alcohol from a Pennsylvania Liquor Store shall receive a numbered receipt which shall show the brand of liquor and alcohol the price paid therefor and such other information as the board may prescribe Copies of all receipts issued by a Pennsylvania Liquor Store shall be retained by and shall form part of the records of such store

Section 602 Unlawful Acts

* * * *

(4) It shall be unlawful for any person except a manufacturer or the board or the holder of a sacramental wine license or of an importer's license or a priest clergyman or rabbi who has purchased wine from the holder of a sacramental wine license to have or keep any liquor within the Commonwealth unless the package (except the decanter or other receptacle containing liquor for immediate consumption) in which the liquor is contained [has] while containing that liquor [been sealed with] bears the official seal of the board Th
of other similar receptacles by licensees shall be permitted only in the case of wines and then only in accordance with the regulations of the board but nothing herein contained shall prohibit the manufacture and possession of wine as provided in [clause (b)] paragraph (2) of this section

Section 603 Unlawful to Fortify Adulterate or Contaminate Liquor It shall be unlawful for any licensee or any employe or agent of a licensee or of the board to fortify adulterate or contaminate any liquor except as permitted by the regulations of the board or to refill wholly or in part with any liquid or substance whatsoever any bottle or other container [previously sealed with] bearing the official seal of the board

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 130, as follows:

An Act to amend section two hundred thirteen of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by prohibiting the sale of or offering for sale of bait-fish or fish-bait taken from the waters of this Commonwealth when not artificially propagated and sold pursuant to an artificial propagation license granted and sold by the board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred thirteen of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as added to said act by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1145) is hereby amended to read as follows

Section 213 Unlawful to Sell Bait-fish or Fish-bait It shall be unlawful for any person to sell or offer for sale any bait-fish or fish-bait taken from [the public] any waters of this Commonwealth when not artificially propagated and sold pursuant to an artificial propagation license granted by the board Any person violating the provisions of this section shall be subject to a penalty of ten dollars for each bait-fish or fish-bait sold or offered for sale upon conviction as provided in chapter fourteen of this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bretherick,
Brice,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,

Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Snider,
Sollenberger,
Sorg,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—6

Bradley,
Coleman,
Lane,
Owens,
Petrosky,
Stank,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 372, as follows:

An Act to amend clause eight of section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by empowering townships of the second class to levy a tax under certain circumstances for the purpose of paying for the removal and disposal of ashes garbage and other refuse material

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause eight of section seven hundred and two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 702 Supervisors to Exercise Powers The corporate powers of townships of the second class shall be exercised by the township supervisors They shall have power

* * * *

VIII Garbage Regulations To provide for the care and removal of ashes garbage and other refuse material including the imposition and collection of reasonable fees and charges therefor and on petition of a majority of the adult taxable residents of any territory within the township which has been definitely defined set apart and limited by the township supervisors with the approval of the township auditors as a village prior to the filing of any such petition the supervisors shall either with township employes and facilities or with independent contractors provide for the removal from the village of ashes or garbage or other refuse material as the case may be and for the disposal thereof The supervisors shall levy a per capita tax upon all adult taxable residents of any such village sufficient to defray the cost of such removal and disposal Such tax shall be collected in the same manner as other per capital taxes and the collector shall receive the same commission thereon The treasurer of the board of supervisors shall receive all such tax collected and keep the same in a separate account and pay the same out only upon orders signed by the chairman and attested by the secretary of the board of supervisors The treasurer shall make an annual report of the account to the auditors of the township

Section 2 This act shall be effective immediately

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—1

Petrosky.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 452, as follows:

An Act to amend sub-sections one and two of section nine of the act approved the twenty-fourth day of July one thousand nine hundred and forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" defining how certificates of certain acknowledgments taken without the State shall be authenticated

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sub-sections one and two of section nine of the act approved the twenty-fourth day of July one thousand nine hundred and forty-one (P. L. 490) entitled "An act relating to acknowledgments of written instruments and to make uniform the law with relation thereto" is hereby amended to read as follows

Section 9 Authentication of Acknowledgments

(1) If the acknowledgment is taken within this State or if taken without this State by "the Commissioner of Deeds" of this State or is made without the United States by an officer of the United States no authentication shall be necessary

(2) If the acknowledgment is taken without this State but in the United States a territory or insular possession of the United States the District of Columbia or the Philippine Islands the certificate shall be authenticated by a certificate as to the official character of such officer executed if the acknowledgment is taken by a clerk or deputy clerk of a court by the presiding judge of the court or if the acknowledgment is taken by [a notary public by a clerk of a court of record of the county parish or district in which the acknowledgment is taken] some other authorized officer by the official having custody of the official record of the election appointment or commission of the officer taking such acknowledgment

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McDowell,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Shaw,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Turner,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 497, as follows:

An Act to further amend section one of article two and section one of article ten of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" abolishing the Department of Public Welfare of such cities and transferring its powers and duties and records and certain city property to the county institution district of the county in which the city is located

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of article two and section one of article ten of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 963) are hereby further amended to read as follows

Section 1 There shall be the following executive departments

I Department of Public Safety
II Department of Public Works
III Department of Collector of Delinquent Taxes
IV Department of Assessors
V Department of City Treasurer
VI Department of City Controller
VII Department of Law
[VIII Department of Public Welfare]
IX Sinking Fund Commission
X Department of Public Health
XI Department of Supplies

No department shall be created other than those herein enumerated but councils may by ordinance provide that the city treasurer may be appointed collector of delinquent taxes and also that the city treasurer may be appointed Director of the Department of Supplies [and that one person may be appointed Director of the Department of Public Welfare and the Department of Public Health]

Councils shall provide by ordinance for such bureaus clerks or other subordinate officers as may be required for the transaction of the business of the departments

Each department shall have power to prescribe rules and regulations not inconsistent with any law or ordinance or with the provisions of article one hereof for its own government regulating the conduct of its officers clerks and employes the distribution and performance of its business and the custody use and preservation of the books records papers and property under its control

Each department shall furnish to the mayor or councils or either branch of councils such information as he or they may at any time demand in relation to its affairs

The heads and members of all departments and all subordinate officers clerks and employes shall give bonds as may be fixed by ordinance

The Department of Supplies shall be under the charge of a director who shall be the head thereof

The mayor shall nominate and by and with the advice and consent of the select council appoint the Director of the Department of Supplies

The Department of Supplies shall have the direction control and administration of the purchase and supply of all personal property required in the conduct of the business of the city All other departments shall obtain such personal property by requisition upon the Department of Supplies and not by purchase direct The manner and form of such requisition may be prescribed by ordinance or in default thereof by standing rule of the Department of Supplies All appropriations of money for the purchase and supply of such personal property shall be made to and be expended by the Department of Supplies and all contracts for the purchase of such personal property shall be made and entered into by and with the mayor and Director of the Department of Supplies in the manner now required by law

Article X

Department of Public Welfare

Section 1 The Department of Public Welfare [shall be under the charge of one person who shall be the head thereof to which department shall be confided the construction control and repair care management administration and supervision of the charities almshouses hospitals houses of correction and grounds and all other similar institutions the control or government of which is intrusted to the city

The head of this department shall keep a correct complete record of all the proceedings which shall always be open to the inspection and examination of the city recorder and of any committee appointed by councils or either branch thereof and shall appoint all officers and servants required for the several institutions under his management

Councils shall have power to provide by general ordinance for all things needful for the proper and efficient management of the said institutions and the said department not inconsistent with the provisions of this act and all able-bodied paupers vagrants and other persons admitted or committed to any of the said institutions may be required to work upon the public streets or roads or elsewhere] is hereby abolished All of its powers and duties shall hereafter be exercised and performed by the county institution district of the county in which the city is located under the provisions of the "County Institution District Law" approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) All property of the city real and personal used in carrying on the functions of the Department of Public Welfare and all records of said department shall be transferred to the county institution district on the effective day of this act All indebtedness of the city whether current or bonded incurred in the acquisition of any such property shall continue the debt and obligation of the city and shall be paid by it

Section 2 The provisions of this act shall become effective on the first day of January one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—166

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boles,
Bonawitz,
Boorse,
Boory,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Corrigan,
Costa,
Croop,
Cullen,
Dalrymple,
Duffy,
Ely,
Erb,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—1

Bower,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Lehigh, Mr. Lichtenwalter, to preside.

MR. LICHTENWALTER IN THE CHAIR

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 498, as follows:

An Act to further amend section one hundred two and to amend sections two hundred two and two hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" abolishing city institution districts in cities of the second class and transferring their powers and duties and their property to the county institution district of the county in which the city is located

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 308) is hereby further amended to read as follows

Section 102 Definitions As used in this act unless the context otherwise indicates

"Commissioners" means the county commissioners of the county

"County" means every county of this Commonwealth except a county of the first class The word county shall [not be construed to] include territory within any city of the second class

"Institution District" means a county or city institution district managed by the commissioners of the county or the department of public welfare of any city of the first [or second] class as the case may be

"Dependent" means an indigent person requiring public care because of physical or mental infirmity

"Independent Poor District" means a poor district which is not coterminous with a county but shall not be construed to apply to a poor district of a county of the second class or a city of the second class

"Institution" means an infirmary poorhouse almshouse hospital or sanitarium managed by the commissioners of the county or the department of public welfare of a city of the first [or second] class

"Poor Auditor" means an elected or specially appointed auditor of independent poor districts

"Municipality" means any city (except a city of the first [and second] class) borough incorporated town or township

"Local Authorities" means the county commissioners acting as officers of an institution district or the department of public welfare of any city of the first [or second] class

"Poor Director" means a director overseer guardian or manager of any poor district or home for the destitute as now constituted

"Public Charge" shall mean a person who is unable to maintain himself and who requires and receives aid from the Commonwealth or from any political subdivision thereof

The masculine pronoun shall include the feminine

Section 2 Sections two hundred two and two hundred three of said act are hereby amended to read as follows

Section 202 Second Class [City Institution Districts In each city of the second class the laws as to the care of dependents shall continue to be administered by the department of public welfare of the city as provided by this act and the laws relating to such cities Each such city shall constitute an institution district Such district shall not exist as an entity separate and apart from the city but shall be administered as a department of the city government] Cities All territory comprised within cities of the second class shall be a part of the county institution district of the county in which such city is located All city institution districts in cities of the second class are hereby abolished The property real and personal of each existing city institution district in each city of the second class and the property real and personal of each city of the second class used for city institution district purposes on the effective date of these amendments is hereby transferred to and vested in the county institution district of the county wherein the city of the second class is located All indebtedness of any city of the second class whether current or bonded incurred in the acquisition of any of such property or for any other city institution district purpose shall continue the debt and obligation of such city of the second class and shall be paid by it All the powers and duties of cities of the second class in connection with administering the affairs of the city institution district are hereby transferred to the county institution district of the county in which such city is located

Section 203 Records The department of public welfare of each city of the first [and second classes] class shall keep records of the work of the city as an institution district as prescribed by the State Department of Welfare and shall from time to time make such reports to said department as it shall require

Section 3 The provisions of this act shall become effective on the first day of January one thousand nine hundred forty-five

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,

Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows

In the Senate, April 7, 1943.

Resolved, (if the House of Representatives concur), That Senate Bill No. 138, Printer's No. 108, entitled:

An Act to amend sections six hundred four, six hundred five and six hundred seven, and to further amend section two thousand four hundred seven of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Department of Internal Affairs.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 537, as follows:

An Act to amend section one thousand five hundred and two by adding thereto clause XLVII of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing certain townships of the first class to appropriate moneys for the support of hospitals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand five hundred and two of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended by adding thereto clause XLVII to read as follows

XLVII Hospital Appropriations For townships of the first class having a population of two thousand inhabitants and upwards to appropriate moneys for the support of any incorporated hospital which is engaged in charitable work and extends treatment and medical attention to the residents of such townships but no such appropriation shall exceed in any year the cost of free service extended to residents of the township which is in excess of any amount paid by the Commonwealth towards such free service and in no case more than the sum of one thousand dollars ($1,000)

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.
Wallin,
Walton,
Watkins,
Weiss,

Dennison,
Depuy,
Dillon,
Dix.
Duffy,
Elder,
Elliott,
Ely,
Erb.
Figlock,
Finnerty,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 120, Printer's No. 314, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 254, as follows:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire by gift the Harmony Society Graveyard in the Borough of Ambridge Pennsylvania providing for the control management and maintenance thereof authorizing the Commission to make and enforce rules and regulations for the preservation maintenance and visitation thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Pennsylvania Historical Commission is hereby authorized to acquire by gift in the name of the Commonwealth of Pennsylvania from the Harmony Society Historical Association of the Borough of Ambridge County of Beaver owners thereof a tract of land of 0.655 acres located in the Borough of Ambridge beginning at the northeast corner of the within described parcel this parcel being locally known as a cemetery lot of the Harmony Society (said corner being formed by the intersection of the south line of Central Lane formerly Susannah Street with the west line of Church Street as said streets are shown on the Orchard Plot of lots as laid out by the Fort Pitt Improvement Company of record in the Recorder's office of Beaver County in Plank Book Volume one page 242) thence along the south line of Central Lane S 79° 43′ 40″ E 166.22 feet to a point thence along dividing line between within described parcel and land now or late of Fort Pitt Improvement Company the following two (2) courses and distances 1 S 9° 18′ 30″ E 191.30 feet 2 N 79° 57′ E 136.20 feet to a point on the west line of Church Street thence along said west line N 0° 26′ 20″ W 194.66 feet to a point the place of beginning and known as the Harmony Society Graveyard

Section 2 The title of said real estate shall be taken in the name of the Commonwealth of Pennsylvania and shall before its acquisition be approved by the Department of Justice

Section 3 After the property shall have been acquired by the Commonwealth the Pennsylvania Historical Commission shall have full control management and supervision thereof and shall have power to adopt and carry into effect plans for its maintenance using therefor any funds at the disposal of the commission not otherwise specifically appropriated or allocated and to make and enforce rules and regulations for the preservation of the property and visitation thereof by the public

Section 4 After the property shall have been acquired by the Commonwealth of Pennsylvania there shall be no further interments in said parcel of land except the bodies of Mr John S Duss and Mrs Susannah C Duss former and now surviving members of the Harmony Society

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty.
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James.
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger.
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 641, as follows:

An Act providing for the validation and amendment of defective tax liens heretofore or hereafter entered of record repealing inconsistent legislation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore or hereafter any tax lien is or shall be defective by reason of error in the name or names of the registered owner or owners thereof or by reason of the fact that the description of the property the lot number or numbers the name of the development or plan or the street number set forth in the tax lien as filed do not conform with each other the taxing authority or any one authorized by law to enter such tax lien shall have the right to file an amended tax lien so that the correct name or names of the registered owner or owners and the correct description of the property as to lot numbers development or plan or street number shall appear therein and upon the filing of the amended tax lien such lien is hereby declared to be valid to all intents and purposes and such liens may be enforced as in the case of liens entered or filed in the name or names of the proper registered owner or owners and with a correct description of the property Provided however That this act shall not apply to any property where change of ownership has occurred previous to the filing of the amended tax lien and such amended tax lien shall not take priority over any mortgage or judgment recorded or entered subsequent to the filing of the original tax lien but previous to the filing of the amended tax lien

Section 2 All acts and parts of acts general local or special inconsistent with this act are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Erb,
Figlock,
Finnerty,
Kowalski,
Krepps,
Reilly,
Reynolds,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 726, as follows:

An Act to amend section twelve of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" making further provision for the satisfaction of conditional sales contracts filed in the office of the prothonotary

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the twelfth day of May one thousand nine hundred twenty-five (P. L. 603) entitled "An act concerning conditional sales and to make uniform the law relating thereto" is hereby amended to read as follows

Section 12 Cancellation of Contract [After] Any contract filed in the office of the prothonotary may be cancelled by satisfaction noted on the docket in the same manner as judgments at law are satisfied In lieu of such satisfaction after the performance of the condition upon written demand delivered personally or by registered mail by the buyer or any other person having an interest in the goods the seller shall execute acknowledge and deliver to the demandant a statement that the condition in the contract has been performed If for ten days after such demand the seller fails to mail or deliver such a statement of satisfaction he shall forfeit to the demandant five dollars and be liable for all damages suffered Upon presentation of such statement of satisfaction the filing officer shall file the same and note the cancellation of the contract and the date thereof on the margin of the page where the contract has been entered For filing and entering the statement of satisfaction the filing officer shall be entitled to a fee of thirty cents except that the recroder of deeds shall be entitled to a fee of fifty cents for filing and entering a statement of the satisfaction of a contract described in section eight

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,

Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 830, as follows:

An Act authorizing the Secretary of Property and Supplies to sell and convey two certain tracts of land in Woodbury Township Blair County Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Secretary of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell and convey for such consideration as may be agreed upon and to make and execute a deed conveying the following described two tracts of land situate in Woodbury Township Blair County Pennsylvania

Tract 1 Beginning at a point on the south side of the Township road known as Creek Road and common to the lands of Mollie C Treese and Shelly and marked by an iron pipe driven flush with the surface of the ground thence along the lands of Mollie C Treese south eighty (80) degrees thirty (30) minutes east One thousand six hundred eighty-six (1686) feet to an iron pipe thence south thirty-seven (37) degrees thirty-four (34) minutes west One thousand four hundred forty-eight (1448) feet to an iron pipe located on the north side of the private lane known as Shelly's lane thence along said lane north eighty-one (81) degrees 03 minutes west six hundred eighty-five (685) feet to an iron pipe thence north thirty-seven (37) degrees forty-five (45) minutes east One thousand one hundred and ten (1110) feet to an iron pipe thence north eighty (80) degrees forty-five (45) minutes west Nine hundred fifty-four (954) feet to an iron pipe on the south side of the Creek Road thence along said road north twenty-eight (28) degrees forty (40) minutes east Three hundred twenty-three (323) feet to a point the place of beginning Containing twenty-six and thirty one-hundredth (26.30) acres more or less

Being the same property which Melvin C Shelly and Julia Shelly his wife by deed dated June 13 1931 recorded in the Recorder's Office for the County of Blair in Deed Book 400 Page 167 sold and conveyed to the Commonwealth of Pennsylvania

Tract 2 Beginning at a point on the south side of the Township road known as Creek Road and common to the lands of Mollie Treese and Shelly and marked by an iron pipe driven flush with the surface of the ground thence north thirty-one (31) degrees (50) minutes east along said road six hundred twenty-five (625) feet to an iron pipe thence south sixty-three (63) degrees thirty-two (32) minutes east Nine hundred sixty-eight (968) feet to an iron pipe thence north thirty-seven (37) degrees forty-five (45) minutes east twelve hundred sixty-one (1261) feet to an iron pipe located on the west side of the Township road known as the Williamsburg Road thence along said road south forty-six (46) degrees 06 minutes east Six hundred five (605) feet to an iron pipe thence south thirty-seven (37) degrees thirty-four (34) minutes west Twelve hundred (1200) feet to an iron pipe on the property line between the lands of Treese and Shelly thence along said property line north eighty (80) degrees thirty (30) minutes west Sixteen hundred eighty-six (1686) feet to a point the place of beginning Containing Twenty-nine and sixty one-hundredths (29.60) acres more or less Being the same property which Mollie C Treese and S Blair Treese her husband by deed dated June 13 1931 recorded in the Recorder's Office for the County of Blair in Deed Book Volume 400 Page 169 sold and conveyed to the Commonwealth of Pennsylvania

Section 2 This Act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant.
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,

Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 832, Printer's No. 321, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 717, as follows:

An Act to promote interstate cooperation for the use conservation protection and equitable diversion of the water resources in the Delaware River Basin between and among the States of Pennsylvania New York and New Jersey for the purpose of meeting prospective needs for domestic and municipal water supply regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards requiring permits from and providing for hearings by the Water and Power Resources Board and for appeals from its decision vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations and further defining its powers and duties requiring notice to the States of New York and New Jersey of all applications for water diversion providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions

Whereas The States of New York New Jersey Pennsylvania and Delaware have each created and now maintain a Commission or Committee on Interstate Cooperation for the purpose of establishing and maintaining governmental machinery to facilitate communication negotiation understanding and cooperation between said states respectively and other states of the Union both regionally and nationally with power to establish such committees sub-committees and advisory boards as are deemed advisable to conduct conferences and to formulate proposals concerning subjects of intergovernmental cooperation in the common cause of reducing the burdens which are imposed upon the citizens of every state by governmental confusion competition and conflict and

Whereas said Commissions or Committees on Interstate Cooperation of said states have organized and established and are now maintaining as an instrument of governmental machinery a joint advisory board known as "The Interstate Commission on the Delaware River Basin" as a regional commission composed of standing sub-committees of said Commissions or Comitees on Interstate Cooperation respectively for the purpose of entering upon a program to study among other subjects the water supply and the conservation and protecton of the water resources of the Delaware River Basin and

Whereas the Commissions or Committees on Interstate Cooperation among the said states favor the enactment of uniform laws and the adoption of uniform rules to regulate the use and diversion of the waters of the Delaware River and its tributaries for the purpose of meeting present and prospective needs for domestic and municipal water supply purposes in said states respectively and

Whereas the said Commission on the Delaware River Basin through its Technical Advisory Committee on Quantity of Water consisting of representatives of the Water and Power Resources Board of the Department of Forests and Waters of the Commonwealth of Pennsylvania and of similar agencies of New Jersey and New York has made a study for the purposes above recited of the said Delaware River and its tributaries in said Delaware River Basin and

Whereas the said Commission on the Delaware River Basin has formulated and approved proposals for interstate cooperation in the use conservation protection and equitable diversion of the water resources of the Delaware River Basin

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Legislative Intent It is hereby declared to be the intent and purpose of this act to regulate the diversion and use of the waters of the Delaware River and its tributaries for the purpose of meeting present and prospective needs for domestic and municipal water supply and the provisions of this act shall apply to the Commonwealth or any agency thereof any municipality or civil division of the Commonwealth any district or similar agency or authority person partnerships corporations or associations

Section 2 Definitions The following words phrases or abbreviations unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Board" means the Water Power and Resources Board of the Department of Forests and Waters of the Commonwealth of Pennsylvania or its duly constituted successor

"Person" includes the Commonwealth or any agency thereof any muncipality or civil division of the Commonwealth any district or similar agency or authority persons partnerships corporations or associations

"c.f.s." is the abbreviation for cubic feet per second

"c.s.m." is the abbreviation for cubic feet per second per square mile of contributing drainage area

"Delaware River" means that reach of the Delaware River which extends from the confluence of the West Branch and the East Branch of the Delaware River near Hancock New York to the point where it passes the boundary line between the States of Delaware and Pennsylvania

"Delaware River Basin" means the total area drained by the Delaware River and its tributaries

"Waters of the Delaware River" or "Waters of the Delaware River Basin" means the surface waters originating within the Delaware River Basin

"Channel" or "Channel of the Delaware River" means the bed of the Delaware River and the lands on and over which the waters of said river flow

"Upper Basin" means that part of the Delaware River Basin from which the surface waters flow and enter the channel of the Delaware River at or about its confluence with the Neversink River The Upper Basin shall be understood to include the area drained by the Neversink River

"Lower Basin" means that part of the Delaware River Basin which is not embraced within the Upper Basin

"Tributary" or "Tributary of the Delaware River" means any watercourse the waters of which naturally flow into the channel of the Delaware River

"Complete Diversion" means the taking or removal of waters of the Delaware River Basin to a point outside of the Delaware River Basin

"Partial Diversion" means the taking or removal of waters from any point in the Delaware River above Trenton Falls or from any tributary of the section of the Delaware River above Trenton Falls which water is returned to the channel of the Delaware River under the following conditions

A If taken from a tributary such water is returned but not in such a manner as to be available in the channel at the confluence of such tributary and the Delaware River

B If taken from the Delaware River such water is returned but not above a point twelve miles below the point of taking as measured along the center line of the channel provided that if the water is returned within twelve mlies of the point of the original taking said taking shall not be considered a partial diversion

"Divert" means to effect a complete diversion or a partial diversion

"Development" means the construction of any works for the taking of water or the storage of water for diversion

"Develop" means to make available by development

"Point of Development" means the place on the Delaware River or upon a tributary at which the lowermost structure dam intake or other works is maintained for the purpose of making water available for diversion

"Domesic and Municipal Water Supply" means the use of water by or for water works serving the public

"Natural Flow" means the rate of flow of a river stream or tributary as it would occur if it were not affected materially by artificial works or developments Such flow shall be understood to be subject to customary current and future uses of the land in the watershed for agriculture industry commerce and housing also for such natural land policies as clearing soil erosion and re-forestation In order to determine natural flow observed or measured flows therefore shall not be corrected for any of the aforesaid uses or for similar uses but only for such artificial works or uses as materially alter the normal flow characteristics of the stream

"Actual Flow of the Delaware River" means the existing flow of the Delaware River uncorrected for the effects of any developments or works of man excepting for the effect of any by-passing of the flow of the stream around the point of development.

"Control Rates" means certain rates of natural flow of a stream at the point of development used in fixing the rate of flow to be maintained below the point Such rates are correlated with certain rates of natural flow at the stream gaging station cooperatively operated by the United States Geological Survey at Trenton New Jersey and they are to be obtained as follows From the record of flow of the Delaware River at Trenton gage for the years between October 1 1928 and September 30 1941 both inclusive corrected for diversion around that station and for artificial regulation using for this purpose the corrections reported by the United States Geological Survey it has been determined that the natural daily flows of the river at that point exceed 4,000 c.f.s for seventy-six (76) per cent of the time exceed 3,400 c.f.s. for eighty-two (82) per cent of the time and exceed 2,500 c.f.s. for ninety (90) per cent of the time From the measured or computed rates of natural flow of the stream under consideration at the proposed point of development and for the years between October 1 1928 and September 30 1941 both inclusive rates of flow are determined which will be exceeded by the natural flow for the same percentages of time seventy-six (76) per cent eighty-two (82) per cent and ninety (90) per cent as have been determined from Trenton gage as shown These rates of flow are termed the 4,000 c.f.s. 3,400 c.f.s. and 2,500 c.f.s. control rates for that point of development In arriving at the rates of natural flow of the stream as above set forth measured rates of flow shall be used as far as they may be available Otherwise the rates shall be derived from the records of natural runoff of the stream under consideration at its point of development for the period between October 1 1928 and September 30 1941 both inclusive In determining the mean-annual-yield as above set forth measured rates of flow shall be used as far as they may be available Otherwise such yield shall be derived from the records of the nearest most suitable gaging stations using accepted hydrological methods for making the computations

"Diversion Project" means any project for development or use of the waters of the Delaware River for domestic and municipal water supply involving complete or partial diversion of water from a tributary of the Delaware River or a complete diversion from the channel of the Delaware River as set forth in this act

Section 3 General Provisions for Diversions It shall be unlawful to divert water from any tributary of the Delaware River within the state or from the channel of the Delaware River within the state or from both for use for domestic and municipal water supply anywhere within or without the Delaware River Basin without the previous consent and approval of the Water and Power Resources Board Such consent and approval shall be given only if in addition to the determinations which the Board is required to make under any other statutory provision it shall also determine that such development is such as to promote the greatest economy in the use and conservation of the waters of the Delaware River Basin consistent with reasonableness and practicability and such development fully complies with the provisions conditions limitations rules formulae and standards provided in this act

Section 4 Provisions for Complete Diversions from Tributaries of the Delaware River Complete diversions of water from the tributaries of the Delaware River for domestic and municipal supply purposes shall be subject to the following

A Whenever the natural flow of the tributary under development at its point of development exceeds its 4,000 c.f.s. control rate all or any part of such natural flow may be withheld in storage in reservoirs on or may be withdrawn directly from such tributary and be diverted

B Whenever the natural flow of the tributary under development at its point of development falls below its 4,000 c.f.s. control rate the flow of the tributary immediately below the point of development shall be maintained as follows

1 Whenever the natural flow of the tributary falls below its 2,500 c.f.s. control rate the rate of flow required to be maintained shall be fifty (50) per cent of the mean annual yield of the stream if in the Upper Basin and forty (40) per cent of the mean annual yield of the stream if in the Lower Basin

2 Whenever the natural flow of the tributary is between its 2,500 c.f.s. control rate and its 4,000 c.f.s. control rate the rate of flow required to be maintained shall be twenty-five (25) per cent of the mean annual yield of the stream if in the Upper Basin and twenty (20) per cent of the mean annual yield of the stream if in the Lower Basin

Section 5 Provisions for Partial Diversions from Tributaries of the Delaware River Partial diversions of water from tributaries of the Delaware River for domestic and municipal supply purposes shall be subject to the following

A Whenever the natural flow of the tributary under development at its point of development exceeds its 3,400 c.f.s. control rate all or any part of such natural flow may be withheld in storage reservoirs on or may be withdrawn from tributary and be diverted

B Whenever the natural flow the tributary under development at its point of development falls below its 3,400 c.f.s. control rate the flow of the tributary immediately below its point of development shall be maintained at a rate at least equal to said natural flow during the time it is below the 3,400 c.f.s. control rate

Section 6 Provisions for Complete Diversions from the Channel of the Delaware River Complete diversions of water from the channel of the Delaware River for domestic and municipal water supply purposes shall be subject to the following

A Whenever the actual flow of the Delaware River at the point of development exceeds a rate of 0.59 c.s.m. equivalent of 4,000 c.f.s. at Trenton if in the Upper Basin or exceeds a rate of 0.50 c.s.m. equivalent to 3,400 c.f.s. at Trenton if in the Lower Basin all or any part of such actual flow in excess of the rates hereinabove specified may be withdrawn from the river and be diverted

Whenever the actual flow of the Delaware River at the point of development falls below a rate of 0.59 c.s.m. if in the Upper Basin or falls below a rate of 0.50

c.s.m. if in the Lower Basin no part of such actual flow may be withdrawn from the river In addition to this restriction during the time that the actual flow of the Delaware River is below the rates hereinabove specified water shall be released from storage and be delivered into the Delaware River in such a manner as to be available immediately below the point of development The amount of water to be so released shall be determined by the following formula

$$R = \frac{C}{S} (YK) \text{ in which formula}$$

"R" represents the amount of water to be so released in cubic feet per second

"C" represents the average daily amount of the proposed diversion in c.f.s.

"S" represents the safe yield which has been determined to be representative of tributary streams located in the various parts of the Delaware River Basin before providing for compensating releases Values of "S" shall be as follows

In the Upper Basin	1.8 c.s.m.
In the Lower Basin	
In Pennsylvania	1.6 c.s.m.
In New Jersey	1.2 c.s.m.

"Y" represents the mean-annual-yield of the stream upon which storage is provided for the purpose of making the prescribed release of water

"K" represents 40 per cent whenever the aforesaid actual flow of the Delaware River at the point of development is less than 0.37 c.s.m. and twenty (20) per cent whenever the aforesaid actual flow is between 0.37 c.s.m. and 0.59 c.s.m. if in the Upper Basin or between 0.37 c.s.m. and 0.50 c.s.m. if in the Lower Basin

Section 7 Provisions for Partial Diversions from the Channel of the Delaware River The provisions of this act do not apply to partial diversions from the channel of the Delaware River but the Board shall nevertheless make determination of the fact that such proposed diversion is a partial diversion as herein defined

Section 8 Provisions for Complete and Partial Diversions from the tributaries or the Channel of the Delaware River Whenever a project involving both complete and partial diversions from either the tributaries of the Delaware River or the channel of the Delaware River is undertaken the provisions for complete and partial diversions as herein prescribed shall apply to each kind of diversion and to the respective quantities involved in each of such diversions

Section 9 Act to be Enforced by the Water and Power Resources Board The Board is hereby designated as the agency of the Commonwealth to administer and enforce compliance with the provisions of this act and the rules and regulations adopted under its authority Should the Legislature by future statute change this designation either generally or for some specific case without making special reference to this act such change shall be deemed an amendment thereof Should the Legislature by a future act and without special reference to this act exempt any such diversion from the provisions hereof this act shall be deemed to have been repealed

Section 10 Powers and Duties of the Board in Relation to the Delaware River Basin The Board shall have power and authority to

1 Adopt such rules and regulations for the efficient administration of this act as it shall find to be necessary

2 Study consider and determine upon a public policy with regard to the conservation and protection of the water resources of the Delaware River Basin and the equitable and reasonable diversion of water from the Delaware River and its tributaries

3 Request the Interstate Commission on the Delaware River Basin to cooperate and assist the Board in such surveys and investigations of the water resources of the basin as the Board may undertake

4 Request the Interstate Commission on the Delaware River Basin to investigate report on and recommend the equipment necessary adequately to measure all quantities and rates of stream flow necessary for the proper enforcement of this act to cooperate and assist the Board in the observation of the operation of all developments and to recommend procedures necessary to secure compliance with this act and its purposes to report and to recommend to the Board whether the quantity of water proposed for diversion and use by a project in New York New Jersey or Pennsylvania is fair and equitable to report and to recommend to the Board the manner in which water may be diverted from the channel of the Delaware River and its tributaries and specific rules and regulations based on the principle of equitable apportionment and reasonable diversion in compliance with this article

5 Supply information and data on water diversions from the Delaware River or its tributaries to the State of New Jersey and the State of New York

6 Continue as a commission or by representation to confer with the Interstate Commission on the Delaware River Basin and representatives of the State of New Jersey and the State of New York with regard to all of the above matters and the general problem of the regulation and diversion of the waters of the Delaware River Basin for water supply and municipal purposes

Section 11 Procedure for Obtaining the Approval of the Board The procedure for obtaining the consent and approval of the Board for any diversion project shall be that set forth in any present or future statute authorizing such diversions by any person as above defined and all applicable terms and provisions of all such statutory provisions shall remain in full force and effect in such cases but in addition thereto before approving an application the Board must have made the additional determinations specified in section three Upon receipt of an application for approval of a diversion project as above defined or before making decision with regard to such diversion project in a case wherein the Board adopts such project the Board shall send written notice to the proper agency of the State of New York and the State of New Jersey outlining the proposed diversion project stating when and where the hearing thereon will be held and asking approval thereof At the hearing on such project the other two states may appear present testimony or make arguments with regard to matters pertaining to this act The Board is hereby authorized to receive and to consider written statements with regard to these matters from the other states

Section 12 Approval by the United States Supreme Court Whenever acting under the provisions of this act the Board after having duly considered the views of the other states shall give its final approval to any diversion project application shall forthwith be made to the Supreme Court of the United States for approval of such project The decision and approval of the Board shall be of no force or effect unless and until the project has been approved by the Supreme Court of the United States in those cases in which the said Court retains or assumes jurisdiction in the matter

Section 13 Diversion Projects in Other States Whenever the Board shall receive written notice similar to that provided for in section eleven from either the State of New Jersey or the State of New York of the pendency of an application for approval of a diversion project or the proposed adoption of such a project in either or both of these states the Board shall study the matter communicate and confer with the proper authorities of the other states attend hearings and generally take all proper steps to protect the interests of this State As promptly as possible and not later than six months after the receipt of such notice the Board shall make a statement of its findings with regard thereto to the interested state or states If the Board shall find that the project is fair and equitable to the Commonwealth of Pennsylvania and in accordance with the provisions of this act it shall prepare a statement to that effect and submit it to the Governor for approval On receipt of such approval the other two states and the

Attorney General shall be so advised Thereafter when application is made to the Supreme Court of the United States for approval of such project the Attorney General may by stipulation or otherwise consent to an entry of an order by that Court approving of such diversion

Section 14 Enforcement The Commonwealth shall have the power to bring such actions suits or proceedings as in its judgment may be necessary or proper to enable the Board to perform any of the duties imposed on it by any of the provisions of this act or to prevent the violation by any person or corporation public or private of any of the provisions thereof

Section 15 Existing Rights Preserved The passage of this act shall not impair or affect any valid rights existing at the time this act takes effect All incomplete proceedings shall continue but in proper cases as far as possible shall be made to conform to the provisions of this act Any municipality in this Commonwealth now legally diverting or having legal authority to divert water for domestic and municipal water supply from the Delaware River or its tributaries may apply to the Board for modification of the restrictions under which such diversion is made or is to be made in order to make such restrictions conform to the provisions of this act In acting on such cases the Board shall follow the procedure set forth in this act in so far as it may be made to apply

Section 16 Constitutional Construction and Severability The provisions of this act shall be severable and if any phrase clause sentence or provision of this act is declared unconstitutional or the applicability thereof to any person is held invalid the constitutionality of the remainder of this act and the applicability thereof to other persons and circumstances shall not be affected thereby It is hereby declared as the legislative intent that the act be construed liberally

Section 17 Repeals All acts or parts of acts inconsistent with this act are hereby repealed

Section 18 Adoption of Similar Acts by New Jersey and New York On approval of the enactment of this act by the Governor the Secretary of the Commonwealth shall certify copies thereof to the Secretaries of State of New Jersey and New York with a request that similar acts enacted by those states be certified to him On receipt of certified copies of such acts he shall determine whether in his judgment said acts contain substantially the same provisions as to water supply diversion projects to be constructed in the Delaware River Basin as those herein contained Should he so find with regard to enactments by both the State of New Jersey and State of New York he shall so certify to the Governor the Water and Power Resources Board and the Secretaries of State of New Jersey and New York The provisions of this act shall not be put into operation until the first day of January next suceeding such certification

Section 19 Effective Date The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1061, as follows:

An Act providing that the terms of constables hereafter elected in cities of the second second class A and third classes boroughs and townships shall be for six years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The terms of constables hereafter elected in cities of the second second class A and third classes boroughs and townships shall be for six years Whenever a constable shall be appointed by the court as provided by existing laws the constable so appointed shall serve for the unexpired term

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,

Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,

NAYS—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 573, as follows:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by adding clause XIX to Section 1006 so as to provide a special fund for conconstruction and reconstruction after the cessation of hostilities in the war in which the United States is now engaged

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article ten of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding to Section 1006 an additional clause XIX to read as follows

Clause XIX

Any surplus from taxes levied or from other sources may be applied to the decrease of indebtedness or may be placed in a special fund for construction or reconstruction of designated highways and public works after the cessation of hostilities in the war in which the United States is now engaged which sums so placed shall be safeguarded as sinking funds under existing law and may be invested as sinking funds

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection House Bill No. 575, Printer's No. 326, was passed over at the request of Mr. CHARLES H. BRUNNER, Jr.

There being no objection, Senate Bill No. 67, Printer's No. 173, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 756, as follows:

An Act to amend section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "A supplement to the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' requiring permits to conduct pharmacies provdiing for the revocation thereof and prescribing penalties" by adding to the qualification required of applicants for a pharmacy license

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-sixth day of May one thousand nine hundred twenty-one (P. L. 1172) entitled "A supplement to the act approved the seventhteenth day of May one thousand nine hundred seventeen (P. L. 208) entitled 'An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity' requiring permits to conduct pharmacies providing for the revocation thereof and prescribing penalties" is hereby amended to read as follows

Section 2 Upon application on a form to be prescribed and furnished it and the payment of a fee of two dollars ($2.00) the Pennsylvania Board of Pharmacy shall issue a permit to conduct a pharmacy to such persons associations copartnerships or corporations of good moral character as the board deems qualified to conduct such business All permits issued under the provisions of this act shall be exposed in a conspicuous place in the pharmacy for which it was issued and shall expire on the first day of July following the date of issue No permit shall be issued unless it appears to the satisfaction of the board that the management of the pharmacy is in the charge of a pharmacist registered under the provisions of the act to which this is a supplement All permit fees collected under the provisions of this act shall be paid into the State Treasury

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker there is no objection to this bill as to the proposed amendment, but I wish to call the attention of the sponsor to what I consider to be possibly poor wording. I trust that the gentleman will take it up subsequently with the Senate.

The amendment to the bill appears on page 1, line 21 after the words "good moral character." Those words immediately follow the word "corporations." Since corporations have no soul or flesh or blood, I am just wondering what gives the corporation good moral character. I trust what the gentleman means is that the officers of the corporation are supposed to have good moral character. I merely call that to the attention of the sponsor of the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Lehigh, Mr. Lichtenwalter, for presiding.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. WALTER E. ROSE.

The House resumed the consideration on third reading of House Bill No. 592, entitled:

An Act to further amend section six hundred twenty-one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permitting certain minors under eighteen years of age to operate certain commercial motor vehicles as paid operators for the duration of the present war and six months thereafter

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. WALTER E. ROSE. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of further study.

The motion was agreed to.

HOUSE BILL No. 373 TAKEN FROM TABLE

Mr. WALTER E. ROSE. Mr. Speaker, I move that House Bill No. 373 together with the communication from the Governor which was laid on the table March 29, 1943 be taken from the table.

The motion was agreed to.

The communication was read by the Clerk as follows:

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communicatoin in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 373

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 25, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day aproved and signed House Concurrent Resolution recalling from the Governor House Bill No. 373, Printer's No. 60, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. TROUT. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. WALTER E. ROSE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lancaster, Mr. Trout, vote on the final passage of this bill?

Mr. TROUT. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Cambria Mr. Rose vote on the final passage of this bill?

Mr. WALTER E. ROSE. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. TROUT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading.

Mr. TROUT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 2 (Sec. 411), page 19, line 4, by striking out the word "shall" and inserting in lieu thereof: "may".

Amend Sec. 2 (Sec. 411),page 19, line 9, by striking out the word "shall" and inserting in lieu thereof: "may".

Amend Sec. 4 (Sec. 511), page 21, line 18, by striking out the word "shall" and inserting in lieu thereof: "may".

Amend Sec. 4 (Sec. 511), page 23, by inserting between lines 20 and 21, the following: "(f) If the secretary finds that the provisions of this section, or the directions of the secretary are not being compied with by the dealer, he may suspend, after a hearing, the right of a dealer to issue temporary registration plates or markers".

Amend Sec. 4 (Sec. 511), page 23, line 21, by striking out the letter "(f)" and inserting in lieu thereof: "(g)".

Amend Sec. 4 (Sec. 511), page 23, line 26, by striking out the letter "(g)" and inserting in lieu thereof: "(h)".

Amend Sec. 4 (Sec. 511), page 24, line 7, by striking out the letter "(h)" and inserting in lieu thereof: "(i)".

Amend Sec. 4 (Sec. 511), page 24, line 17, by striking out the letter "(i)" and inserting in lieu thereof: "(j)".

Amend Sec. 4 (Sec. 511), page 25, line 1, by striking out the letter "(j)" and inserting in lieu thereof: "(k)".

Amend Sec. 4 (Sec. 511), page 25, line 18, by striking out the letter "(f)".

Amend Sec. 4 (Sec. 511), page 25, line 18, by striking out the word "or".

Amend Sec. 4 (Sec. 511), page 25, line 18, by inserting after the letter "(h)" the following: or (i).

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE BILL No. 133 TAKEN FROM TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that Senate Bill No. 133 together with the message from the Senate which was laid on the table April 6, 1943, be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 133

The Clerk of the Senate being introduced, informed that the Senate insists on its concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 133, entitled:

An Act to further amend subsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground and to underground passageways gangways airways drifts slopes shafts overcasts and stoppings of mining operation

And has appointed Messrs. Letzler, Wade and Haluska a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. LICHTENWALTER. Mr. Speaker, I move that the House insist on its amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as said Committee, Messrs. Kline, Tiemann and O'Neill.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSON TO ADDRESS HOUSE

Mr. COOPER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to say that today House Bill 486, which amends the Building & Loan Code, has been reported out with amendment. I do not think I am breaching any confidence of the committee when I say that this bill is to be recommitted Monday night for the purpose of a public hearing next Wednesday morning in the House Caucus Room at 10 o'clock:

I am making this announcement because this is a very important bill. It is the only bill which has come into the Building & Loan Committee, and any Member of this House who is interested in building and loan legislation should make it his business to be present at the hearing. The Senate members will also be notified of the hearing, and as much publicity as possible will be given to it.

RESOLUTION REPORTED FROM COMMITTEE

Mr. WALTER E. ROSE asked and obtained unanimous consent to report from the Committee on Rules as committed a House Resolution (not printed) and for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, April 5, 1943.

The Honorable Samuel J. Perry a former Member of this House from the 19th District of Philadelphia County died on Monday, March 29th, at the age of seventy-one years.

He was a Member of this House during an uninterrupted period of twenty-two years, and since his retirement in 1932, he has been employed in the office of the sheriff of Philadelphia County.

He was a member of the Republican Executive Committee of Philadelphia, president of the First Independent Club of the 25th Ward, and the founder of the Westmoreland Republican Club.

As a Member of this House he was in constant attendance during its sessions, and displayed keen interest in matters affecting the welfare of his constituents; therefore be it

Resolved, That this House of Representatives marks with sorrow the passing of one who devoted so much of his life in attending to the duties of his office as a Member of the General Assembly and extends to the surviving members of his family its most sincere sympathy; and be it further

Resolved, That the Chief Clerk of this House shall forward a copy of this resolution to those who survive him.

RESOLUTION REPORTED FROM COMMITTEE

Mr. LLOYD H. WOOD asked and obtained unanimous consent to report from the Committee on Rules as committed Senate Concurrent Resolution Serial No. 117 and for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the Senate, March 30, 1943.

Whereas, Pursuant to Senate Concurrent Resolution of March 5, 1941 adopted by the Senate on March 5, 1941 and concurred in by the House on March 17, 1941, a Commission was appointed by the General Assembly of Pennsylvania known as the "Thomas Jefferson Bicentennial Commission of Pennsylvania" for the purpose of eloving plans in collaboration with the Thomas Jefferson Bicentennial Commission established by U. S. Congress in order that same may be submitted to the celebration of the Bicentennial of the birth of Thomas Jefferson on April 13, 1943;

Whereas, The Thomas Jefferson Bicentennial Commission of Pennsylvania evolved elaborate plans long before the entry of the United States into the present global war calling for a grandiose celebration throughout the entire breadth and length of our Commonwealth; and

Whereas, Our present war-efforts call for an avoidance of any and all detractions from our total war-efforts needed for the attainment of victory and thus preclude local celebrations in each one of the thirty-six districts originally designated by the Thomas Jefferson Bicentennial Commission of Pennsylvania as well as the execution of the maximum program, the blueprint whereof was submitted to the General Assembly of Pennsylvania on March 11, 1942, and

Whereas, The Thomas Jefferson Bicentennial Commission of Pennsylvania decided to recommend to the General Assembly of Pennsylvania to limit the celebration of the Bicentennial of the birth of Thomas Jefferson to (1) a Joint Commemorative Session of the General Assembly of Pennsylvania on Wednesday, April 14, 1943 at 12 P. M. noon, Eastern War Time, to receive appropriate messages from His Excellency the Governor of Pennsylvania and many other dignitaries, (2) for the issuance of Commemorative Certificates for distribution among the members of the General Assembly of Pennsylvania and collaborators of the Commission, (3) To distribute 21 prizes in War Bonds totalling $700.00 for the best essay to be entitled "The Spiritual Legacy of Thomas Jefferson" in a state-wide contest, to be conducted autonomously in each one of the seven districts designated by the Commission and (4) to ask His Excellency, the Governor of Pennsylvania to issue an appropriate Proclamation in Commemoration of the Birth of Thomas Jefferson and his immortal contribution to the American ideology of Government, now be it therefore

Resolved (if the House of Representatives concur) That the Senate and the House of the General Assembly of Pennsylvania hold a joint session on Wednesday, April 14, 1943 at 12 o'clock P. M. noon, Eastern War Time, to hear the commemorative messages of His Excellency Edward Martin, Governor of Pennsylvania, His Excellency Colgate Darden, Governor of Virginia, Dr. Robert L. Johnson, Chairman of the State-wide Committee of Educators and other dignitaries; and be it further

Resolved, That the Governor of Pennsylvania be requested to issue an appropriate Proclamation commemorating the Bicentennial of the Birth of Thomas Jefferson on April 13, 1943.

Ordered, That the Clerk inform the Senate accordingly.

CONGRATULATORY RESOLUTION

Messrs. LOVETT and PETROSKY offered a privileged resolution which was twice read, considered and adopted as follows:

In the House of Representatives, April 7, 1943.

The frequency of the appearance of birthdays in this House leads to the presumption that most of the members were winter or spring babies.

The latest to claim special legislative attention is of most tender age, because it is stated that life begins at forty, and it was only that long ago that Roy C. Haberlen let out his first lusty cry at Latrobe in Westmoreland County.

He graduated from Hursts High School and Gettysburg College, and then returned to the farm where he has since been feeding the cow and pushing the plow, except when his duties of office bring him to Harrisburg.

The Honorable Roy is a member of the United Farmers, Kiwanis International, and the Loyal Order of Moose, and of this House of Representatives since 1934.

His continued appearance here as a member indicates that he maintains the same popularity at home as is his here in this House, therefore be it

Resolved, That the House of Representatives is delighted that the life of one of its members has at last begun, and that from now on he can be expected to progress rapidly if what has happened during the post two score years is any indication of his ability to get ahead, and that it extends to him its most ardent wish for many returns of the day, each one marked by a greater achievement; and be it further

Resolved, That a copy of this resolution shall be furnished to the Honorable Roy C. Haberlen by the Chief Clerk of this House.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Haberlen.

Mr. HABERLEN. Mr. Speaker, I really want to thank my colleague from Westmoreland, Mr. Lovett, and my colleague from Westmoreland, Mr. Petrosky, for this resolution. They say, I don't know, because I am just starting—they say that life begins at forty. If I am back here in two years I will tell you whether or not that is true. I want to thank you gentlemen again.

BILL ON THIRD READING

The SPEAKER. If there is no objection the Chair will return to the third reading calendar, page 24, Senate Bill No. 112, Printer's No. 189. Is there objection? The Chair hears none.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 112, as follows:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 During the continuance of the war in which the United States is now engaged and until after the first general municipal or primary election that shall occur six months or more after the cessation of hostilities in such war it shall be unlawful for any registration commission in any city or county to strike the name of any person from the permanent personal registration list of such city or county when such person is at the time a member of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith It shall be presumed that a person is not a member of any branch of the armed forces of the United States unless the person registered or some person in his behalf shall before the time fixed by law for striking off his or her name present proof of the fact that he or she is a member of some branch of the armed forces of the United States or uniformed organization of women connected therewith Such proof shall consist of the written statement of the elector or a qualified elector acquainted with the elector the right to whose continued registration is in question and his or her connection with the armed forces or womens organization as the case may be Such statements shall be required in all cases where registration affidavits have been retained because of the electors military service Any person making a false statement for the purpose of keeping the name of any person on the registry list who is not entitled thereto under this act shall upon summary conviction thereof be sentenced to pay a fine of not more than twenty-five dollars ($25.00) or on failure to pay the same and costs to undergo imprisonment for not more than ten days.

Section 2 During the period of time set forth in Section 1 it shall be unlawful for any registration commission in any city or county to cancel the registration of any elector previously registered under the permanent personal registration laws of any city county borough town or township for failure to vote

Section 3 All acts and parts of acts inconsistent herewith are hereby suspended during the period of time this act shall be in effect

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Fleming,
Finnerty,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,

Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Flack,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Serrill,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Watkins,
Walton,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Cerk return the same to the Senate with information that the House has passed the same with amendents in which the concurrence of the Senate is requested.

CERTIFIED COPY OF HOUSE BILL No. 404

The SPEAKER. The gentleman from Lebanon, Mr. Sarge, presented a resolution requesting that a certified copy of House Bill 404, which was lost, be prepared by the Chief Clerk. The House adopted that resolution this afternoon.

A certified copy of House Bill No. 404 has been presented to the Chair by the Chief Clerk, and the Chairman of the Committee on State Government can obtain it by signing for it in the Office of the Chief Clerk.

REPORTS FROM COMMITTEES

Mr. DENMAN from the Committee on Cities—Second Class reported as committed, House Bill No. 596, entitled:

An Act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three, (P. L. 15—1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

Mr. KITCHEN from the Committee on Municipal Corporations reported as amended, House Bill No. 364, entitled:

An Act to amend the title and to further amend sections one, two and three of the act, approved the twenty-first day of May one thousand nine hundred and thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," giving each political subdivision having tax or municipal claims against any such real property, the right to petition court for a compromise agreement or sale authorized by the act, and extending the time for the holding of a hearing thereon.

Mr. DENMAN from the Committee on Cities—Second Class reported as amended, House Bill No. 607, entitled:

An Act to futher amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

COMMITTEE MEETINGS

There will be meetings of the committees on

Cities—Second Class, Wednesday, April 7, after session in the Conference Room in rear of the House.

Insurance, Tuesday, April 8, at 12:30 p. m. Room 330.

Judiciary General, Thursday, April 8, at 11 a. m. Room 325.

Mines and Mining, Wednesday, April 7, after session. Room 323.

Municipal Corporations, Thursday, April 8, at 11:30 a. m. Room 521.

Welfare, Thursday, April 8, at 10 a.m. Room 330.

There will be a Public Hearing before the Committee on Agriculture on House Bills Nos. 749 and 842 on Thursday, April 8, 1943, at 10 a. m. in the Old House Caucus Room.

ADJOURNMENT

Mr. TRENT. Mr. Speaker, I move that this House do now adjourn until Thursday, April 8, 1943, at 1 p. m.

The motion was agreed to, and (at 5:05 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., THURSDAY, APRIL 8, 1943. No. 39.

SENATE

THURSDAY, April 3, 1943.

The Senate met at 11:30 o'clock, a. m., Eastern War Time.

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

O Lord our God, how excellent is Thy name in all the earth. The mention of that name should evoke our adoration, and remind us of our dependence upon Thee. We live because Thou hast breathed into our nostrils the breath of life. Teach us how to live so that we do not mar our spiritual inheritance.

Through all our years we have been sustained and provided for by Thee. May we never be guilty of the ingratitude that fails to thank the Giver of all good.

And now we thank Thee for life, for health of body and mind, for the opportunities being given to us to work with Thee for a better world. May the heroic efforts now being put forth by our nation to improve human conditions be approved of God. Out of the present turmoil and carnage may there come a new world "wherein dwelleth righteousness."

In the Name of the Father and of the Son and of the Holy Spirit, Amen.

JOURNAL APPROVED

The PRESIDENT PRO TEMPORE. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. WALKER the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. ZIESENHEIM.

Mr. Barr asked and obtained leave of absence for Mr. JASPAN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 198, entitled:

An Act to amend section nine hundred fifteen of the act approved the first day of May, one thousand nine hundred thirty-three, (P. L. 1033), "The Second Class Township Law," continuing the liability of taxpayers after the tax collector has been exonerated.

Which was committed to the Committee on County Government.

House Bill No. 254, entitled:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania, to acquire, by gift, the Harmony Society Graveyard in the Borough of Ambridge, Pennsylvania, providing for the control, management and maintenance thereof; authorizing the Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof.

Which was committed to the Committee on State Government.

House Bill No. 330, entitled:

An Act relative to the printing for the Commonwealth of Pennsylvania; to establish the requirements of responsible bidders; to prescribe penalties for the violation of the provisions of this act, and to repeal all acts and parts of acts inconsistent with the provisions of this act.

Which was committed to the Committee on State Government.

House Bill No. 372, entitled:

An Act to amend clause eight of section seven hundred and two of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103) entitled, "The Second Class Township Law," by empowering townships of the second class to levy a tax, under certain circumstances, for the purpose of paying for the removal and disposal of ashes, garbage and other refuse material.

Which was committed to the Committee on County Government.

House Bill No. 452, entitled:

An Act to amend sub-sections one and two of section nine of the act approved the twenty-fourth day of July, one thousand nine hundred and forty-one (P. L. 490) entitled "Uniform Acknowledgment Act," defining how certificates of certain acknowledgments taken without the State shall be authenticated.

Which was committed to the Committee on Judiciary General.

House Bill No. 497, entitled:

An Act to further amend section one of article two, and section one of the article ten, of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "Second Class City Law," abolishing the Department of Public Welfare of such cities; and transferring its powers and duties and records and certain city property to the county institution district of the county in which the city is located.

Which was committed to the Committee on Municipal Government.

House Bill No. 498, entitled:

An Act to further amend section one hundred two, and to amend sections two hundred two and two hundred three of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven, (P. L. 2017), entitled "County Institution District Law," abolishing city institution districts in cities of the second class; and transferring their powers and duties and their property to the county institution district of the county in which the city is located.

Which was committed to the Committee on Municipal Government.

House Bill No. 537, entitled:

An Act to amend section one thousand five hundred and two by adding thereto clause XLVII, of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "First Class Township Law," authorizing certain townships of the first class to appropriate moneys for the support of hospitals.

Which was committed to the Committee on County Government.

House Bill No. 541, entitled:

An Act to further amend section six hundred two, subsection fourteen, of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "Pennsylvania Liquor Control Act," exempting certain coin operated motion picture machines from provisions of the act requiring special permits.

Which was committed to the Committee on Law and Order.

House Bill No. 573, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "General Borough Act," by adding clause XIX to Section 1006 so as to provide a special fund for construction and reconstruction after the cessation of hostilities in the war in which the United States is now engaged.

Which was committed to the Committee on Municipal Government.

House Bill No. 641, entitled:

An Act providing for the validation and amendment of defective tax liens heretofore or hereafter entered of record; and repealing inconsistent legislation.

Which was committed to the Committee on Judiciary General.

House Bill No. 726, entitled:

An Act to amend section twelve of the act approved the twelfth day of May, one thousand nine hundred twenty-five (P. L. 603), entitled "An act concerning conditional sales; and to make uniform the law relating thereto," making further provisions for the satisfaction of conditional sales contracts filed in the office of the prothonotary.

Which was committed to the Committee on Judiciary General.

House Bill No. 756, entitled:

An Act to amend section two of the act, approved the twenty-sixth day of May, one thousand nine hundred twenty-one (P. L. 1172), entitled "A supplement to the act, approved the seventeenth day of May, one thousand nine hundred seventeen (P. L. 208), entitled 'Pharmaceutical Practice Law' "; by adding to the qualifications required of applicants for a pharmacy license.

Which was committed to the Committee on Public Health.

House Bill No. 804, entitled:

An Act to further amend subsection (d) of section one thousand two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," making certificates from an official speedometer testing station prima facie evidence of the facts contained therein in appeals taken from suspension or revocation of operating privilege.

Which was committed to the Committee on Highways.

House Bill No. 807, entitled:

An Act to further amend subsection (b) of section one thousand two hundred six of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by including certain pleas to be certified by the clerks of court.

Which was committed to the Committee on Judiciary General.

House Bill No. 830, entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey two certain tracts of land in Woodbury Township, Blair County, Pennsylvania.

Which was committed to the Committee on State Government.

House Bill No. 841, entitled:

An Act to further amend section two hundred twenty-five of the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled "Fish Law of 1925," by requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue.

Which was committed to the Comitee on Forests and Waters, Game and Fish.

House Bill No. 851, entitled:

An Act to amend section one thousand one hundred two of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-one, (P. L. 1206), entitled "First Class Township Law," providing for the salary of the controller.

Which was committed to the Committee on County Government.

House Bill No. 871, entitled:

An Act to further amend sections two, three hundred five, paragraph (4) of section six hundred two and section six hundred three of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15, 1933-34), entitled as amended "Pennsylvania Liquor Control Act," by defining "Official Seal" and authorizing the designation of wholesale or retail stores.

Which was committed to the Committee on Law and Order.

House Bill No. 917, entitled:

An Act to promote interstate cooperation for the use, conservation; protection and equitable diversion of the water resources of the Delaware River Basin between and among the States of Pennsylvania, New York and New Jersey, for the purpose of meeting prospective needs for domestic and municipal water supply; regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards; requiring permits from and providing for hearings by, the Water and Power Resources Board and for appeals from its decisions; vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations, and further defining its powers and duties; requiring notice to the States of New York and New Jersey of all applications for water diversion; providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions.

Which was committed to the Committee on State Government.

House Bill No. 1061, entitled:

An Act providing that the terms of constables hereafter elected in cities of the second, second class A and third classes, boroughs and townships, shall be for six years.

Which was committed to the Committee on Municipal Government.

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

ARRANGING FOR JOINT SESSION TO HEAR ADDRESSES ON BICENTENNIAL CELEBRATION OF THOMAS JEFFERSON'S BIRTH AND URGING APPROPRIATE PROCLAMATION

In the Senate, March 30, 1943.

Whereas, Pursuant to Senate Concurrent Resolution of March 5, 1941 adopted by the Senate on March 5, 1941, and concurred in by the House on March 17, 1941, a Commission was appointed by the General Assembly of Pennsylvania known as the "Thomas Jefferson Bicentennial Commission of Pennsylvania" for the purpose of evolving plans in collaboration with the Thomas Jefferson Bicentennial Commission established by U. S. Congress in order that same may be submitted to the General Assembly of Pennsylvania preparatory to the celebration of the Bicentennial of the Birth of Thomas Jefferson on April 13, 1943;

Whereas, The Thomas Jefferson Bicentennial Commission of Pennsylvania evolved elaborate plans long before the entry of the United States into the present global war calling for a grandiose celebration throughout the entire breadth and length of our Commonwealth; and

Whereas, Our present war efforts call for an avoidance of any and all detractions from our total war efforts needed for the attainment of victory and thus preclude local celebrations in each one of the thirty-six districts originally designated by the Thomas Jefferson Bicentennial Commission of Pennsylvania as well as the execution of the maximum program, the blueprint whereof was submitted to the General Assembly of Pennsylvania on March 11, 1942, and

Whereas, The Thomas Jefferson Bicentennial Commission of Pennsylvania decided to recommend to the General Assembly of Pennsylvania to limit the celebration of the bicentennial of the birth of Thomas Jefferson to (1) a Joint Commemorative Session of the General Assembly of Pennsylvania on Wednesday, April 14, 1943, at 12 a. m. noon, Eastern War Time, to receive appropriate messages from His Excellency the Governor of Pennsylvania and many other dignitaries, (2) for the issuance of Commemorative Certificates for distribution among the members of the General Assembly of Pennsylvania and collaborators of the Commission, (3) to distribute 21 prizes in War Bonds totaling $700.00 for the best essay to be entitled "The Spiritual Legacy of Thomas Jefferson" in a state-wide contest, to be conducted antonomously in each one of the seven districts designated by the Commission and (4) to ask His Excellency, the Governor of Pennsylvania, to issue an appropriate Proclamation in Commemoration of the birth of Thomas Jefferson and his immortal contributions to the American ideology of Government, Now Be It Therefore

Resolved (if the House of Representatives concur), That the Senate and the House of Representatives of Pennsylvania hold a joint session on Wednesday, April 14, 1943, at twelve o'clock a. m. noon, Eastern War Time, to hear the commemorative messages of His Excellency Edward Martin, Governor of Pennsylvania, His Excellency Colgate Darden, Governor of Virginia, Dr. Robert L. Johnson, Chairman of the State-Wide Committee of Educators and other dignitaries; and be it further

Resolved, That the Governor of Pennsylvania be requested to issue an appropriate Proclamation commemorating the Bicentennial of the Birth of Thomas Jefferson on April 13, 1943.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I desire at this time to interrogate the gentleman from Cambria, Senator Haluska.

The PRESIDENT PRO TEMPORE. Will the Senator from Cambria permit himself to be interrogated?

Mr. HALUSKA. I will, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Cambria, Senator Haluska, whether or not at this time he desires to make any statements with regard to absenteeism. I listened with a great deal of interest to the speech which he made on the Senate floor yesterday relative to absentees who did not ask for leave of absence.

At the order of business of leaves of absence in the Senate proceedings this morning, there were two members of the Senate from whom leave of absence was requested, Senator Ziesenheim and Senator Jaspan. I heard no request for leave of absence for Senator McCreesh, Senator Mundy, and some of the other members who are not in their seats and who are not in the Senate Chamber. I just want to know if the gentleman from Cambria is still interested in the subject matter that he so profoundly discussed yesterday.

Mr. HALUSKA. Mr. President, once I am interested, I am always interested; I never back down on anything. I have no desire, however, to take undue advantage of my colleagues, and that is the reason I announced yesterday that commencing next week I would ask for a roll call if I find any of the members absent from their seats. If I did that this morning, it would be unfair, because my colleagues had no warning I was going to do that until next week, so I want my good friend from Allegheny, Senator Walker, to know that next Monday or Tuesday he wants to make certain that he will be in his seat.

Mr. WALKER. I desire to further interrogate the gentleman from Cambria.

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny may proceed.

Mr. WALKER. Mr. President, I desire to ask my colleague from Cambria if it is going to be Monday or Tuesday. I think we ought to have it definitely stated whether the roll will be called Monday, whether the roll will be called Tuesday, or whether the roll will be called up yonder. What is it "Johnny," Monday or Tuesday.

Mr. HALUSKA. Mr. President, I will answer that in this way. I was talking to a friend one day who played a great deal of poker, and he said, "If you show your hand, you are bound to lose; never show your hand." I have no intention of showing my hand now.

Mr. WALKER. Mr. President, I would just like to call the gentleman's attention to the fact that he stated that he did not want to take undue advantage of his colleagues, and now he is going to keep it a dark secret.

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 130, entitled:

An Act to amend section two hundred thirteen of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by prohibiting the sale of or offering for sale of bait-fish or fish-bait taken from the waters of this Commonwealth, when not artifically popagated and sold pursuant to an artificial propagation license granted by the board.

with the information that the House has passed the same without amendments.

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL No. 133, NON-CONCURRED IN AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its amendments to Senate Bill No. 133, entitled:

An Act to further amend subsection (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground, and to underground passageways, gangways, airways, slopes, shafts, overcasts, and stoppings of mining operations.

and has appointed Messrs. Kline, Tiemann and O'Neill as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

PERMISSION TO ADDRESS SENATE

Mr. COLEMAN asked and obtained unanimous consent to address the Senate.

Mr. COLEMAN. Mr. President, last Thursday, the Senate of Pennsylvania adopted a resolution expressing its sorrow on the death of former Senator John W. Howell, and this morning I received a communication from Attorney Esdras F. Howell, a son of the late State Senator, and I would like to have it read into the record. It reads as follows:

Scranton, Pa., April 7, 1943.

"Dear Senator Coleman:

"On behalf of my mother, my sisters, my brother and myself, I am writing this not to express our sense of honor and appreciation for the fine tribute your fellow colleagues of the Senate of Pennsylvania and you paid my late father, former Senator John W. Howell.

"His associations with each and every member of the Senate from 1929 to the day of his death were most joyful and a distinct honor to him. He loved the human bonds and ties which made the members of your honorable body friends in deed and in fact despite the partisan battles in which you and all the Senators become engaged on the floor of the Senate. To him all of his colleagues and all of you present members of the Senate were and are carrying on the noblest traditions of our American Democracy by your expressing without fear or favor your attitudes on problems which involve the welfare of all of us.

"May the Almighty Maker guide all of you constantly in your great work.

"Sincerely yours,

"ESDRAS F. HOWELL,"

The PRESIDENT PRO TEMPORE. The remarks of the gentleman from Lackawanna together with the communication will be noted in the Journal.

REPORTS FROM COMMITTEES

Mr. CRIDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 502, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County.

Mr. HOMSHER, from the Committee on County Government, reported as committed, House Bill No. 421, entitled:

An Act to add section ten to the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" authorizing townships to make appropriations for said purposes.

He also from the Committee on County Government, reported as committed, House Bill No. 629, entitled:

An Act to amend section four hundred thirty-seven of the act approved the second day of May one thousand nine hunded twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the making of appropriations to more than one historical society.

He also from the Committee on County Government, reported as committed, House Bill No. 649, entitled:

An Act to amend section one thousand five hundred seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing a method for financing the cost of constructing sewers or drains.

Mr. MALLERY, from the Committee on Judiciary General, reported as committed, Senate Bill No. 208, entitled

An Act allowing costs and counsel fees to stakeholders in interpleader proceeding out of funds paid into court.

Mr. WADE on behalf of Mr. CARR, from the Committee on Insurance, reported as committed, House Bill No. 588, entitled:

An Act to amend paragraph four of subsection (c) of section two hundred two and to further amend section six hundred twenty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the purposes for which certain companies may be incorporated to include insuring medical hospital surgical and funeral expenses in connection with certain kinds of liability insurance and insuring against loss or damage to property from certain causes for which the person insured is liable.

And also, from the Committee on Insurance, reported as committed, House Bill No. 561, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by increasing the amount for which under certain conditions such companies may issue policies in the event of death from natural or accidental causes.

And also, from the Committee on Insurance, reported as committed, House Bill No. 365, entitled:

An Act to further amend clauses (d) and (e) of section four hundred four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further changing provisions relating to the investment of the capital and reserve of mutual and stock life insurance companies organized under the laws of this Commonwealth

Mr. SNOWDEN, from the Committee on Highways, reported as committed, Senate Bill No. 515, entitled:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood, in said county, during the month of May, one thousand nine hundred forty-two.

Mr. COLEMAN, from the Committee on County Government, reported as committed, House Bill No. 263, entitled:

An Act to amend section fifteen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" requiring written notice to be given in certain cases to each taxable person whose assessment shall be changed at any triennial assessment.

He also, from the Committee on County Government, reported as committed, House Bill No. 356, entitled:

An Act to amend clause one of section seven hundred two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the period for which contracts for lighting may be made.

He also, from the Committee on County Government, reported as committed, Senate Bill No. 503, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays, and for the enactment of licensing ordinances and resolutions in accordance therewith.

He also, from the Committee on County Government, reported as committed, Senate Bill No. 176, entitled:

An Act to amend the act approved the twenty-eighth day of July, one thousand nine hundred and forty-one (P. L. 541), entitled "An act authorizing county commissioners to sell seated and unseated lands purchased at tax sales upon which the period of redemption has expired, and validating certain sales heretofore made," extending the time within which sales may be made.

He also, from the Committee on County Government, reported as committed, Senate Bill No. 92, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments.

Mr. RUTH, from the Committee on County Government, reported as amended, House Bill No. 187, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court.

He also, from the Committee on County Government, reported as amended, House Bill No. 311, entitled:

An Act authorizing the county commissioners in each county of the second class to appoint a fire marshal and two assistant fire marshals providing for the term of office and compensation of the persons so appointed and prescribing their powers and duties imposing certain additional duties upon county commissioners policemen constables watchmen and other persons authorizing the fire marshal or his assistants to enter upon properties to investigate various fire hazards and to order the removal or abatement of such hazards conferring certain police powers upon the fire marshal and his assistants repealing certain general special and local legislation and prescribing penalties.

He also, from the Committee on County Government, reported as committed, House Bill No. 355, entitled:

An Act to amend section five hundred thirty of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the filing of the treasurer's bond.

He also, from the Committee on County Government, reported as committed, House Bill No. 503, entitled:

An Act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau; prescribing the powers and duties of such bureau; requiring the registration with such bureau by landowners of certain information relative to the location, ownership and transfer of title of real property located in such county; imposing certain additional duties upon the county surveyor, the sheriff and the recorder of deeds in such county; and providing penalties.

He also, from the Committee on County Government, reported as committed, House Bill No. 652, entitled:

An Act to amend section six hundred eleven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for the election of at least two delegates to attend State conventions.

Mr. KEPHART, from the Committee on Judiciary General, reported as committed, Senate Bill No. 485, entitled:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determinatoin of liability and compensation thereunder; and prescribing penalties," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 486, entitled:

An Act to amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," by conferring upon said county court jurisdiction in appeals from the Workmen's Compensation Board.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 487, entitled:

An Act to amend section three of the act, approved the tenth day of June, one thousand nine hundred thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," by relaxing, during the continuance of the present war, the educational requirements for applicants to take examinations for undertakers' licenses, if such applicants have completed ten or more years service as assistants to duly licensed undertakers.

He also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 405, entitled:

An Act to amend section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" relating to the operation of and the presence of minors in pool and billiard rooms and bowling alleys.

Mr. BARR, from the Committee on Highways, reported as committed, Senate Bill No. 506, entitled:

An Act to further amend section one thousand thirty-three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley, omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; provdiing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," extending the provisions of such section for a further period of two years.

He also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 518, entitled:

An Act to amend section one hundred and one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" defining certain additional words and phrases when used in statutes.

REPORT FROM COMMITTEE ON EXECUTIVE NOMINATIONS

Mr. WATKINS, from the Committee on Executive Nominations reported with a favorable recommendation the following nomination, made by His Excellency, the Governor of the Commonwealth, which was laid on the table.

ASSOCIATE JUDGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Van C. Decker, Nicholson, Wyoming County, for appointment as Associate Judge in and for the County of Wyoming, until the first Monday of January, 1944, vice William S. Crock, deceased.

EDWARD MARTIN.

BILLS INTRODUCED AND REFERRED

Mr. THOMAS B. WILSON read in his place and presented to the Chair Senate Bill No. 533, entitled:

An Act to further amend section two hundred and twenty-six of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by limiting the provisions of said section which prohibit a director from receiving pay from or accepting employment with his school district, to services rendered to such district pursuant to an employment or appointment by the directors thereof.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 534, entitled:

An Act to amend section four hundred thirty-seven and to further amend section four hundred thirty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," changing the amount of aid which the board of county commissioners may pay out of the county funds to the historical society of the county, and changing the qualifications of historical societies to receive county appropriations.

Which was committed to the Committee on County Government.

Mr. TYLER read in his place and presented to the Chair Senate Bill No. 535, entitled:

An Act to further amend section one, article eight, of the act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," providing that only persons who are registered holders of certificates of qualification or service shall be employed as mine foremen and assistant mine foremen.

Which was committed to the Committee on Mines and Mining.

Mr. WOODRING read in his place and presented to the Chair Senate Bill No. 536, entitled:

An Act to amend section one of the act approved the tenth day of May, one thousand eight hundred seventy-one (P. L. 706), entitled "An act for the regulation and government of the Northampton county prison," increasing the compensation of the prison inspectors of Northampton County.

Which was committed to the Committee on County Government.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 537, entitled:

An Act to further amend clause two of paragraph (a) of section forty-one of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," authorizing guardians and trustees, with the approval of the orphans' court, to invest trust funds in certain life endowment and annuity contracts.

Which was committed to the Committee on Judiciary General.

Mr. HALUSKA read in his place and presented to the Chair Senate Bill No. 538, entitled:

An Act providing for the abatement of penalties and interest on certain delinquent municipal loans taxes due to the Commonwealth from various political subdivisions; preserving the Commonwealth's claim for such taxes; and imposing duties upon the Department of Justice and the Department of Revenue.

Which was committed to the Committee on Finance.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 8, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Walter V. Anderson, Versailles Twp., 3400 Walnut St., McKeesport.

CAMBRIA COUNTY

Mrs. Florence L. Washington, Cresson.

LANCASTER COUNTY

Harry H. Reed, Lancaster.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 8, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Raymond Uzumecki, 300 Wharton Street, Philadelphia, for reappointment as a Notary Public in and for the City of Philadelphia, Philadelphia County, for the term of four years to compute from April 19, 1943.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—37

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. WATKINS and Mr. HALUSKA.

That the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination made by His Excellency, the Governor of the Commonwealth of Pennsylvania.

Which was agreed to.

The Clerk read the nomination as follows:

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 1, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William F. Buckley, 3100 Birney Avenue, Minooka, Scranton, for appointment as Justice of the Peace in and for the Township of Lackawanna, Lackawanna County, until the first Monday in January, 1944, vice John J. Joyce, deceased.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. WATKINS and Mr. HALUSKA.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—37

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATKINS. Mr. President, I move that the Executive Session do now rise.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

ANNOUNCEMENT OF COMMITTEE MEETING

Mr. THOMAS B. WILSON. Mr. President, I would like to announce that the Committee on Labor and Industry will meet on Monday night, April 12, 1943, in Room 401, at nine o'clock p. m., and I want to give notice far enough ahead so that the members of that Committee will know where the meeting is going to be held. It will be held on Monday night, at nine o'clock p. m., in Room 401.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 211, entitled:

An Act to further amend section nine hundred eight subsection A of section one thousand six and subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the amount and maintenance by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section nine hundred eight of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as last amended by the act approved the twenty-second day of April one thousand nine hundred and thirty-seven (P. L. 349) is hereby further amended to read as follows

Section 908 Reserve Fund Against Deposits and Demand Liabilities A Every bank bank and trust company or private bank shall establish and maintain a reserve fund in an amount [equal to at least] to be fixed from time to time by the department with the approval of the Banking Board provided however that such reserve fund shall not be required to be established and maintained in an amount exceeding fifteen per centum of the total of its demand deposits and demand liabilities plus seven and one-half per centum of its total time deposits as herein defined

B Except in the case of a savings bank the term "demand deposits" shall be construed to refer to all deposits payment of which can legally be required on demand or within any period less than thirty days after demand

The term "demand liabilities' shall be construed to refer to all obligations of the institutions other than deposits payment of which can legally be required on demand

Except in the case of a savings bank the term "time deposits" shall be construed to refer to all deposits payment of which cannot legally be required within thirty days

C Except in the case of a savings bank the total of such reserve fund may and [at least one-third of the reserve fund against demand deposits and demand liabilities shall unless the department gives its written approval of a lesser amount] in the case of the reserve fund against demand deposits and demand liabilities at least such amount thereof as may be fixed from time to time by the department with the approval of the Banking Board shall consist of gold bullion gold coin silver coin United States gold or silver certificates notes or bills issued by any national banking association or Federal bank or any other form of currency of the United States and be kept on hand at the place of business of the institution unpledged unassigned and unhypothecated

[One-third] Such amount of such reserve fund as shall be fixed from time to time by the department with the approval of the Banking Board may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivision thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

Any part of such reserve fund not required to consist of gold bullion gold coin or any form of currency kept on hand at the place of business of the institution may consist of an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

D Every savings bank shall establish and maintain a reserve fund in an amount equal to at least seven and one-half per centum of the total of its deposits

E In the case of savings banks the total of such reserve fund may and at least one-third thereof shall consist of gold bullion gold coin silver coin United States gold or silver certificates notes or bills issued by any national banking association or Federal reserve bank or any other form of currency of the institution unpledged unassigned and unhypothecated or an actual net balance of moneys on deposit subject to call without notice in any reserve agent as hereinbefore defined

The balance of such reserve fund may consist of bonds or other interest-bearing obligations of the United States the Commonwealth of Pennsylvania or any political subdivisions thereof Such bonds while being carried in the reserve fund shall be computed at their current market value They shall be the absolute property of the institution and shall not be pledged assigned or hypothecated in any manner whatsoever

F The reserve fund prescribed by this section may be increased [or decreased] or decreased by the department with the approval of the Banking Board However the reserve fund shall not at any time be required to be more than double the maximum amount provided in clause A hereof and in the case of savings banks the amount prescribed in clause D hereof [amount prescribed by this section] nor in the case of savings banks shall it be decreased to less than the amount prescribed by this section In the case of a savings bank the additional reserve fund provided for by this paragraph may consist of bonds or other interest-bearing obligations of the United States or of the Commonwealth of Pennsylvania

G The department may upon written application of a bank a bank and trust company or a private bank approve a lesser amount of cash reserve than that fixed pursuant to the provisions of this section to be kept on hand at the place of business of such institution but in all other respects any regulation issued pursuant to the provisions of this section by the department with the approval of the Banking Board fixing the amount of the reserve fund to be established and maintained or the component parts thereof shall apply uniformly to all banks bank and trust companies private banks and savings banks as the case may be

Section 2 Subsection A of section one thousand six of said act as last amended by the act approved the twenty-fourth day of June one thousand nine hundred and thirty-nine (P. L. 737) is hereby further amended to read as follows

Section 1006 Limitations upon Loans to One Corporation or Person A A bank or a bank and trust company shall not directly or indirectly lend to any corporation or person an amount which including any extension of credit to such corporation or person by means of letters of credit or by acceptance of drafts for or the discount or purchase of the notes bills of exchange or other commercial paper of such corporation or person shall exceed ten per centum of the unimpaired capital and ten per centum of the unimpaired surplus of the bank or bank and trust company However this restriction shall have no application whatsoever to the following

(1) Loans to the United States or loans secured by not less than the face amount of bonds or other interbearing obligations of the United States or bonds or other interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the United States is pledged or loans or portions thereof heretofore or hereafter granted the payment of the principal and interest on which has been guaranteed by or for which a written commitment to guarantee has been made by or for the purchase of which a written commitment has been made by the United States War Department Navy Department or Maritime Commission pursuant to the provisions of the Executive Order of the President Number nine thousand one hundred twelve dated the twenty-sixth day of March one thousand nine hundred and forty-two

(2) Loans to the Commonwealth of Pennsylvania or any county city borough township incorporated town or school district thereof or any Authority which has been created as a body corporate and politic under any law of this Commonwealth or loans secured by bonds or other interest-bearing obligations of the Commonwealth or of any county city borough township incorporated town or school district thereof or of any Authority which has been created as a body corporate and politic under any law of the Commonwealth or bonds or other interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the Commonwealth or any county city borough township incorporated town or school district thereof or of any Authority which has been created as a body corporate and politic under any law of this Commonwealth is pledged

(3) The discount of drafts or bills of exchange drawn in good faith against actual existing values

(4) The discount of trade acceptances or other commercial paper actually owned by the corporation or person negotiating it to the bank or bank and trust company and endorsed without restriction by such corporation or person

(5) The discount of notes secured by shipping documents warehouse receipts or other similar documents conveying or securing title to readily marketable nonperishable staple goods including live-stock when the actual market value of the property securing the obligations is not at any time less than one hundred fifteen per centum of the face amount of the notes secured by such documents and when such property is fully covered by insurance

Section 3

Subsection B of Section one thousand one hundred nine of the said act as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 726) is hereby further amended to read as follows

Section 1109 Common Trust Funds

* * * *

B If the instrument under which a trust company or a bank and trust company acts as fiduciary whether such fiduciary capacity arose before or is created after this act takes effect shall limit or restrict the investment of moneys of the estate in assets of the class authorized by law as legal investments the trust company or bank and trust company may in its capacity as sole fiduciary or with the consent of any person acting with it in a fiduciary capacity invest and reinvest moneys of the estate in any such common trust fund maintained by the trust company or bank and trust company provided the assets composing such fund consist solely of assets of the class authorized as legal investments for funds held by fiduciaries

If the instrument under which a trust company or bank and trust company acts as fiduciary whether such fiduciary capacity arose before or is created after this act takes effect shall authorize the investment of moneys of the estate in a common trust fund or in investments other than those designated by law as legal investments or shall authorize the trust company or bank and trust company either alone or in conjunction with any person acting with it in a fiduciary capacity to exercise its or their discretion with respect to the investment of moneys of the estate the trust company or bank and trust company may in its capacity as sole fiduciary or with the consent of any person acting with it in a fiduciary capacity invest and reinvest moneys of the estate in any such common trust fund maintained by the trust company or bank and trust company Any such common trust fund consisting solely of moneys of estates contributed thereto by the trust company or bank and trust company pursuant to authority contained in any such instruments creating the fiduciary capacity to invest moneys of the estates in a common trust fund or in investments other than such legal investments or pursuant to such discretionary power with respect to the investment of moneys of the estates as contained in any such instruments creating the fiduciary capacity may be composed of investments other than those of the class designated by law as legal investments for funds held by fiduciaries including common and preferred stock

Bonds secured by mortgages and securities of the class authorized by law as legal investments for fiduciaries shall be deemed proper investments for any such common trust funds Provided however That no investment for a common trust fund shall be made or maintained in bonds secured by mortgages which would cause the total amount of the investment for such fund in bonds secured by mortgages to exceed forty per centum of the value of all the assets comprising such fund

No moneys of any one estate [inexcess of twenty-five thousand dollars] shall be invested in any one or more of such common trust funds as may be maintained by a trust company or bank and trust company if such investment would result in such estate having an interest in excess of ten per centum of the value of the assets of such common trust funds or funds or the sum of twenty-five thousand dollars whichever is less at the time of investment In applying this limitation if two or more trusts are created by the same settlor or settlors and as much as one-half of the income or principal or both of each trust is payable or applicable to the use of the same person or persons such trusts shall be considered as one

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,
Becker,
Bowers,
Carr,
Chapman
Coleman,
Cox,
Crider,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. WADE. Mr. President, I ask unanimous consent that House Bill No. 388, on final passage, entitled:

An Act to amend section four hundred and twenty A of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by giving minors of the age of eighteen years and upwards full power and authority to make contracts of insurance or annuity with any life insurance company authorized to do business in the Commonwealth of Pennsylvania and to exercise all the powers rights and privileges of ownership conferred on them under the terms of any and all such contracts applied for or issued to them with the same force and effect as if they were of age.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON THIRD READING

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 18, on third reading, entitled:

An Act relating to parole; abolishing the Pennsylvania Board of Parole; reestablishing the jurisdiction, powers and duties of the courts and of the Board of Pardons with respect to parole; and authorizing the employment by the Attorney General of a Supervisor of Paroles and field agents.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 49, entitled:

An Act to amend the title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard and authorizing additional annual allowances to uniformed officers for arms uniforms and equipment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" are hereby amended to read as follows

An Act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania [Reserve Defense Corps] State Guard for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States

Section 1 Organization of [Reserve Defense Corps] State Guard Whenever the Pennsylvania National Guard or any part thereof shall be called or ordered into the service of the United States during any war or other emergency thereupon the Governor shall have the authority and power to organize an armed land force for the defense of the Commonwealth during said war or emergency and for the defense of civil population against aircraft and gas attack which shall be known and designated as the Pennsylvania [Reserve Defense Corps] State Guard and shall be available at the discretion of the Governor for active military duty whenever an invasion of or an insurrection in the State shall occur or be threatened or a tumult riot or disaster shall threaten or exist

Section 2 Composition and Strength The Pennsylvania [Reserve Defense Corps] State Guard shall consist of such divisions brigades regiments battalions companies and similar organizations as may be prescribed by the Governor

Section 3 Term of Service Whenever the Pennsylvania National Guard shall have been restored to state status and shall be enabled to resume its state organization thereupon the term of service of the Pennsylvania [Reserve Defense Corps] State Guard shall cease and determine subject to the discretion of the Governor as to the time and manner in which the same or component parts thereof shall be mustered out

Section 4 Location of Units The Governor shall designate the location of the several units and may change the same at any time Units shall be located so far as practicable in armory buildings owned by the Commonwealth

Section 5 Oath of Commissioned Officers Each commissioned officer before entering upon the duties of his appointment shall take and subscribe the following oath "I .... do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies that I will bear true faith and allegiance to the same that I will obey the orders of the Governor of the State of Pennsylvania that I make this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office .... in the Pennsylvania [Reserve Defense Corps] State Guard upon which I am about to enter"

Section 6 Age and Physical Requirements The Governor may by executive order prescribe from time to time the age limitations and physical qualifications which will govern the enlistments and commissions in the Pennsylvania [Reserve Defense Corps] State Guard but no person shall be refused enlistment or a commission or in anyway be discriminated against in the administration of this act by reason of his race or color

Section 7 Enlistment Contract and Oath Every man enlisting in the Pennsylvania [Reserve Defense Corps] State Guard shall sign an enlistment contract and take and subscribe to the following oath of enlistment "I do hereby acknowledge to have voluntarily enlisted this .... 19.... as a soldier in the Pennsylvania [Reserve Defense Corps] State Guard for the period of the present war or other emergency unless sooner discharged by proper authority and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Pennsylvania and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the Governor of the State of Pennsylvania and of the officers appointed over me according to law and the rules and articles of war"

Section 8 Pay Transportation Annual Encampment There shall be no pay for officers or enlisted men for armory drills In event of a call of any part of the Pennsylvania [Reserve Defense Corps] State Guard into active state duty the pay and transportation of officers and enlisted men shall be on the same basis as is provided for the Pennsylvania National Guard when on active state duty The Governor may in his discretion provide for an annual encampment of not to exceed fifteen (15) days training in any one year for the Pennsylvania [Reserve Defense Corps] State Guard during which period the pay and transportation of officers and enlisted men shall be on the same basis as is provided for the Pennsylvania National Guard

Section 9 Annual Allowance The Adjutant General shall have power and authority to make such annual allowances to organizations and headquarters of organizations as he may deem necessary Where an organization is in service for a fractional part of the fiscal year the allowance shall be reduced accordingly

Section 10 Uniforms Arms and Equipment The Governor shall have the authority and power to requisition from the War Department of the United States such arms and equipment as may be available for use of the Pennsylvania [Reserve Defense Corps] State Guard under the provisions of Public Resolution Number 874 the 76th Congress of the United States approved October 21, 1940 and such other uniforms arms and equipment as may hereafter be authorized by the Congress of the United States to be made available to the Pennsylvania [Reserve Defense Corps] State Guard The Governor shall have further authority and power to make available for the use of the Pennsylvania [Reserve Defense Corps] State Guard such uniforms arms and equipment as may be owned by the Commonwealth or as may be in possession of the Commonwealth for the purpose of such use In the absence of any provision of uniforms arms and equipment by the United States such uniforms arms and equipment may be prescribed by the Governor and provided at the cost of the Commonwealth

Section 11 Uniforms Arms and Equipment of Officers Every commissioned officer shall furnish his own arms uniforms and equipment which shall be as prescribed by the Adjutant General An allowance for this purpose of not to exceed one hundred dollars ($100.00) for each officer may be prescribed by the Governor and in addition thereto if found necessary the Governor may prescribe a further allowance not to exceed thirty dollars ($30.00) in any one year for each officer

Section 12 National Guard Laws Generally to Apply All Pennsylvania laws or sections of laws pertaining to the Pennsylvania National Guard shall be applicable and shall govern the Pennsylvania [Reserve Defense Corps] State Guard except as modified or changed by the provisions of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, in absence of the sponsor I ask unanimous consent that Senate Bill No. 71, on third reading, entitled:

A Joint Resolution proposing an amendment to section four article two of the Constitution of the Commonwealth of Pennsylvania providing for annual sessions of the General Assembly salary of members and anual budget.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 166, entitled:

An Act to amend the title and section three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the perosn and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" by extending certain responsibilities of said act to the support of all indigent persons whether or not they are publicly cared for or assisted

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" is hereby amended to read as follows

An Act relating to the support of indigent persons [publicly cared for or assisted] providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure

Section 2 Section three of said act is hereby amended to read as follows

Section 3 Relatives Liable for the Support of Indigent Persons Procedure to Enforce Support (a) The husband wife child father mother grandparent and grandchild of every indigent person shall if of sufficient financial ability care for and maintain or financially assist such indigent person at such rate as the court of the county where such indigent person resides shall order or direct

(b) The courts shall have power to hear determine and make orders and decrees in such cases upon the petition of such indigent person or of any other person or any public body or public agency having any interest in the care maintenance or assistance of such indigent person whether or not such person has been publicly cared for or assisted

(c) In all cases where an order has been made by the court for the care and maintenance or assistance of a husband wife father mother child grandfather grandmother or grandchild whether or not [confined in any public institution] publicly cared for or assisted and the said order has not been complied with the court or any judge thereof upon affidavit or petition filed setting forth that the person on whom the said order has been made has not complied with the said order shall issue an attachment directed to the sheriff or other proper officer of the county directing and commanding that the person named as having failed to comply with said order be brought before the court at such time as the court may direct If it shall appear to the court after hearing that the person on whom the said order was made has wilfully neglected or refused to comply with said order the court may adjudge said person in contempt of court and in its discretion may commit said person to the county jail for a period not exceeding six months.

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 172, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Soldiers' Orphan School to acquire a certain tract of land for the use of said school and making an appropriation therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Pennsylvania Soldiers' Orphan School is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania a certain tract of land now owned by Hiram S. McKenzie situated in Green Township Franklin County containing about forty-five acres and lying to the East of the present property of the Pennsylvania Soldiers' Orphan School at Scotland Pennsylvania

Section 2 Said tract or tracts of land when purchased shall be added to the lands of the Pennsylvania Soldiers' Orphan School

The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said land shall not be acquired until the title thereto has been approved by the Department of Justice

Section 4 The sum of four thousand five hundred dollars ($4,500) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tract of land and the expenses incidental thereto including title searches

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 177, entitled:

An Act to amend section three hundred one of the act approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties," providing for the payment of contributions by employers in accordance with an experience rating system and providing for and regulating such experience rating system and the terms of procedure to effectuate the same.

On the question,

Will the Senate agree to the bill on third reading?

Mr. HOMSHER. Mr. President, I ask unanimous consent to offer amendments.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1 (sec. 301), page 3, line 25, by inserting after the word "year" the following: "beginning with employment occurring during the calendar year 1944;" Amend Section 1 (sec. 301), page 5, line 12, by inserting after the word "credits" the following: "for benefit years which began in the calendar year nineteen hundred forty-one shall be applicable to nineteen hundred forty-two and credits for benefit years which began in nineteen hundred forty-two or thereafter;" Amend Section 1 (sec. 301), page 9, line 12, by inserting after "(f)" the following: "The department shall promptly, upon written request from him, furnish each employer with a statement showing the base year wages from such employer of each of his compensated employes, the amount of benefits paid each of such employes and the period of unemployment for which they were paid;" Amend Section 1 (sec. 301), page 9, line 24, by striking out the word "fifteen" and inserting in lieu thereof the following: "thirty."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

BILL OVER IN ORDER

Mr. HOMSHER. Mr. President, I ask unanimous consent that Senate Bill No. 177, on third reading, go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 228, entitled:

An Act to further amend section four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by postponing the time for the taking effect of orders of the Pennsylvania Liquor Control Board suspending or revoking licenses for a period of twenty days during which time the licensee may take an appeal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred and thirty-seven (P. L. 1762) is hereby further amended to read as follows

Section 410 Revocation and Suspension of License Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws or any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor or malt or brewed beverages by any licensee his officers servants agents or employes or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citation shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall [immediately] suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises Such suspensions and revocations shall not go into effect until twenty days have elapsed from the date of notice of issuance of the board's order during which time the licensee may take an appeal as provided for in this act When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions in the same manner as herein provided for appeals from refusals to grant licenses Such appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of hotel restaurant and club licensees the offer in compromise shall be at the rate of ten dollars for each day of suspension and in the case of importers and sacramental wine licensees the offer in compromise shall be at the rate of thirty dollars per day No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of one hundred days

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 235, entitled:

An Act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The State Board of Medical Education and Licensure of Pennsylvania may issue temporary certificates authorizing doctors of medicine legally licensed in other states to practice medicine and surgery in Pennsylvania during the present war between the United States and any foreign country and six months after the cessation of hostilities. Such certificate shall be issued only to doctors of medicine who submit satisfactory proof to the Board that they possess a license issued by the authorized agency of the state in which they are licensed and that such license is still in effect and has not been revoked or suspended and further he or she shall furnish satisfactory proof that he or she is of good moral character is not addicted to the intemperate use of alcohol or narcotic drugs and has scholastic qualifications equivalent to those required by law in Pennsylvania and is of satisfactory professional standing in the state from which he or she comes

The provisions of this act are intended to supply medical services in communities where because of the drain of war needs on such services that are normally available there exists a need for medical services that may become a threat to public health In order that this purpose shall be most effectively carried out the Board of Medical Education and Licensure in applying the provisions of this act shall cooperate with the Procurement and Assignment Service in Pennsylvania of the War Man Power Commission and with the committee on War Participation of the Medical Society of the State of Pennsylvania and shall give due consideration to the recommendation of either of such agencies

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby suspended during the period it remains in operation

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 244, entitled:

An Act reducing for a limited period of time the training period of interneship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the duration of the present war between the United States and any foreign country and one year after the cessation of hostilities a minimum of nine months for each year's required interneship shall constitute the necessary legal training for an interne in an osteopathic hospital approved for interne training to qualify for admission to an examination for licensure by the Osteopathic Surgeons' Examining Board to practice major surgery in Pennsylvania

Section 2 All acts and parts of acts inconsistent herewith are hereby suspended during the period this act shall remain in effect

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 258, entitled:

An Act to amend section two of the act approved the twenty-ninth day of April one thousand nine hundred twenty-five (P. L. 358) entitled "An act for the identification of infants born in places where maternity cases are handled providing for the taking of finger or foot prints of infants and the filing of the same and charging persons in charge of such places with the enforcement thereof" by providing for the taking of such prints of the mother of each such infants .

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-ninth day of April one thousand nine hundred twenty-five (P. L. 358) entitled "An act for the identification of infants born in places where maternity cases are handled providing for the taking of finger or foot prints of infants and the filing of the same and charging persons in charge of such places with the enforcement thereof" is hereby amended to read as follows

Section 2 The superintendent or other person in charge of such hospital or other place where maternity cases are handled is charged with the enforcement of the provisions of this act and shall immediately after the birth therein of any infant have suitable [finger prints or] foot prints of such infant and suitable finger prints of the infant's mother taken and recorded for purposes of identification and such records shall be chronologically filed and indexed in the name of the parents of such child

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Dent
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. COLEMAN. Mr. President, at the request of Senator Jaspan, I ask unanimous consent that Senate Bill No. 266, on third reading, entitled:

An Act to provide for the publication of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports conferring powers and imposing duties on the State Reporter the Department of Property and Supplies and the Secretary of the Commonwealth providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof and repealing certain acts and parts of acts.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 268, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic weak-minded person presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans court the powers and duties of the judges thereof and appeals therefrom" is hereby amended by adding thereto a new subsection to read as follows

(j) In all cases in which proceedings may be had in any orphans court affecting the interest of any lunatic weak-minded person presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person the orphans court of the county in which such proceedings may be pending or intended shall have the power either on its own motion or on petition of any person or fiduciary interested to appoint a trustee ad litem for such person Notice of such proceedings served upon or accepted by such trustee ad litem shall have the same force and effect as though personally served upon or accepted by the person for whom such trustee was appointed Provided however that nothing herein contained shall be considered as affecting the rights of any persons in military service as such persons are defined and such rights limited under the Soldiers and Sailors Civil Relief Act of 1940 (Act Oct. 17 1940 C 888 54 Stat. 1178) as the same is now or may hereafter be amended

The court appointing such trustee ad litem shall have power to require security of such trustee for the faithful execution of his trust and to award reasonable compensation for his services and in all cases whether security be given or not such trustees shall be responsible to the proper fiduciary thereafter appointed under existing laws or to such person under disability should he thereafter become competent or to his heirs and legal representatives

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Dent,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Taylor,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. FARRELL. Mr. President, I ask unanimous consent that Senate Bill No. 304, on third reading, entitled:

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nominations of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. FARRELL. Mr. President, I ask unanimous consent that Senate Bill No. 305, on third reading, entitled:

An Act to further amend the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controller registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and board of school directors and imposing penalties" by changing certain provisions of said act relating to removal notices and eliminating electors' rights to file removal notices in certain cases.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 314, on third reading, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by changing the provisions for supervisors of special education in counties employing fewer than five hundred and fifty teachers.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on third reading, entitled:

An Act regulating commercial strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, including issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 422, on third reading, entitled:

An Act to further amend section one of the act, approved the sixteenth day of April, one thousand nine hundred seven (P. L. 92), entitled as amended "An act defining the duty of coroners, where death is sudden or violent, or is of a suspicious nature and character, and of police, and health authorities, in this Commonwealth, in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner, but where it appears the cause of death is not surrounded by suspicious circumstances," by providing that investigations of deaths caused by accidents shall be made by the coroner of the county in which the accident causing death occurred

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. BARR. Mr. President, I ask unanimous consent that Senate Bill No. 478, on third reading, entitled:

An Act to amend section two of the act approved the second day of June, one thousand eight hundred and eighty-three (P. L. 61), entitled "An act supplementary to an act, entitled 'An act for the incorporation and regulation of corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, authorizing the incorporation of pipe lines for the transportation of petroleum, and providing for the exercise of the right of eminent domain in taking lands and property for such purposes," by enlarging and extending the powers of such companies including the acquisition and disposition of franchises, shares of stock and property of such companies in this and other states, the distribution and storage of oil and petroleum products, the use of connecting lines and equipment of other companies and producers and refiners, the construction and maintenance of connecting pipe lines or branches, pumps, tanks and other equipment within and without the State; extending the power of eminent domain; preserving the jurisdiction of the Pennsylvania Public Utility Commission; and regulating the laying of pipes by such companies and by foreign companies including companies incorporated under the Act of Congress, and the erection and protection of storage tanks.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that, House Bill No. 696, on third reading, entitled:

An Act to repeal the act approved the eighteenth day of June one thousand eight hundred ninety-seven (P. L. 168) entitled "An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standard to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same."

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 25, entitled:

An Act making an appropriation to the Monongahela Memorial Hospital Association of Monongahela City, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that, House Bill No. 72, ond second reading, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" providing for the divestiture of judgments obtained thereunder by tax sales heretofore or hereafter made.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 77, entitled:

An Act making an appropriation to the Water and Power Resources Board for the reconstruction of the dam near the village of Seelyville in Wayne County which was recently dynamited to eliminate a flood hazard and authorizing said board to undertake and complete the reconstruction of the aforesaid dam.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 127, on second reading, entitled:

An Act permitting certain organizations to conduct the playing of the game of bingo under certain circumstances; providing for the issuance, suspension and revocation of licenses therefor and for payment of a registration fee, and providing penalties.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 131, entitled:

An Act to amend section five of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act" eliminating the exception of armory buildings owned by the Commonwealth and under the supervision of the Armory Board from the provisions of said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 164, entitled:

An Act creating a Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move than Senate Bill No. 164, on second reading, be recommitted to the Committee on Appropriations.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 178, entitled:

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-five (P. L. 244), entitled "An act creating a Local Government Commission to study and report on functions of local government; their allocation and elimination; the most of local government and means of reducing it; and the consolidation of local government; and making an appropriation," fixing the terms of the members of said commission; providing for the filling of vacancies; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 243, entitled:

An Act to further amend section eleven of the act, approved the seventeenth day of February, one thousand nine hundred six (P. L. 45), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violations of this act," by further regulating the rendition and advertisement of statements of moneys to the credit of the various funds in the State Treasury.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 246, entitled:

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate No. 261, entitled:

An Act to amend section one of the act, approved the fifth day of August, one thousand nine hundred and forty-one (P. L. 826), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey certain plots of land," by correcting the location of the plot of land described in paragraph Fourteen, and providing for the sale of certain additional plots of land.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 285, entitled:

An Act to further amend section one of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act," by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 309, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonweath of Pennsylvania by adding thereto a section.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 310, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 344, entitled:

An Act to further amend clause (c of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of any order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" including persons subject to the National Labor Relations Act in the definition of "employer".

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 345, entitled:

An Act to further amend the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State Government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," further regulating the right to, and procedure on, appeals to court.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 348, entitled:

An Act to amend section four of the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1409), entitled as amended "An act authorizing the creation of State mining commissions, with judicial powers, to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, and over the assessment and award of benefits, improvements, and damages for coal required to be left in place by reason of the obligation to furnish support for land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, whether the damages are payable by the Commonwealth or a county or a municipality; authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands, easements or right of ways caused by the removal of coal under or adjacent thereto; waiving vertical and lateral support therefor under certain conditions; reserving the right to acquire absolute vertical and lateral support; reserving the power to establish detours for the removal of coal underlying State highways; providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place," by waiving under certain conditions where no damages are payable vertical and lateral support to all lands, easements and right of ways purchased, condemned or otherwise acquired by the Commonwealth.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 350, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College on behalf of the Commonwealth of Pennsylvania, that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestley, and now the property of the Pennsylvania State College; providing for the control, management and maintenance thereof by the said department and the Pennsylvania Historical Commission; authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies, or individuals, such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial; authorizing the Pennsylvania Historical Commission to accept as gifts or loan, such books, manuscripts, pamphlets, relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science, and making an appropriation.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 354, on second reading, entitled:

An Act to further amend clause (d) of section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 452), entitled, as amended, "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal Agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to sell and convey projects and property to the Commonwealth, the United States, or any Federal agency.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 397, entitled:

An Act to further amend section five hundred fourteen of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor; Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by adding thereto clause (f) providing for contracts and leases for the mining and removal of minerals, including oil and gas, from lands of the Commonwealth.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 425, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United State of America of a tract of land in Crawford County, Pennsylvania, known as the Keystone Ordnance Plant, and ceding jurisdiction to the United States.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 430, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-eighth Ward, of the City of Philadelphia, Pennsylvania, known as the Philadelphia Signal Depot, and ceding jurisdiction to the United States.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 443, entitled:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airmen and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by reducing the amount of the minimum fine which may be imposed for certain violations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 444, entitled:

An Act to repeal the act approved the fourth day of May, one thousand eight hundred eighty-nine (P. L. 87), entitled "An act relating to sales of provisions by description."

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 445, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City and County of Philadelphia, Pennsylvania, known as the Philadelphia Armor Plate Plant, and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 449, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 452, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties, Pennsylvania, known as Pennsylvania Ordnance Works, and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 453, entitled:

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 457, entitled:

An Act giving the consent of the Commonweath of Pennsylvania to the acquisition by the United States of America of two tracts of land in the Forty-eighth Ward of the City of Philadelphia, Pennsylvania, known as the Philadelphia Quartermaster Depot, and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 460, entitled:

An Act to add Section six to the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" saving to members of the Pennsylvania Motor Police Force their right to increases in pay and certain advancements in rank.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 463, entitled:

An Act making an appropriation to the Department of Welfare for the purchase of furniture and equipment for the Philadelphia State Hospital.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 472, entitled:

An Act providing that every mine foreman, assistant mine foreman and fire boss under the Bituminous Mining Laws and the Anthracite Mining Laws of the Commonwealth represent and are officers of the Commonwealth in the mines in which employed; for the suspension or cancellation of the certificates of such officials as shall hold same and for the disqualification of such as are uncertificated by the Secretary of Mines after or prior to hearing for failure or refusal to perform their respective duties; defining the procedure in such hearing and the powers of the Secretary of Mines with respect thereto and providing for a review of his decisions by the Court of Common Pleas of Dauphin County and the Superior Court; providing for re-examination by the Examining Board of any person whose certificate has been cancelled and for reinstatement of such as are uncertificated; and prohibiting the employment by any operator of any person not possessing the requisite certificate or whose certificate is suspended or who has been disqualified.

The first and second sections were read and agreed to.
The third section was read.
On the question,
Will the Senate agree to the section?
Mr. HEYBURN offered the following amendment:

Amend sec. 3, page 4, line 4, by inserting after the word "Mines" the following: "shall".

It was agreed to.
The section was agreed to as amended.
The fourth, fifth, sixth, seventh, eighth, ninth and tenth sections and title were separately read and agreed to.
And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 474, entitled:

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth, together with the rentals derived therefrom, shall be repaid to and credited to the proper special fund, from which the funds to purchase said real estate were taken.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 477, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1001,), entitled "An act providing for the regulations of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or recovation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by transferring to the Pennsylvania Public Utility Commission the powers and duties conferred and imposed upon the Department of Revenue, and directing that the cost of administering said act shall be segregated on the books of the commission.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 651, entitled:

An Act providing for the printing and distribution of Senate and House Bills and Senate and House Calendars.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 686, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years, and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time, under certain circumstances requiring the keeping of records and the making of reports and providing penalties.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES

Mr. KEPHART. Mr. President, I ask unanimous consent to make report from committee at this time.
The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.
Mr. KEPHART, from the Committee on State Government, reported as committed, Senate Bill No. 521, entitled:

An Act relating to reservation of powers of the Commonwealth with respect to lands purchased or condemned by the United States.

He also, from the Committee on State Government, reported as amended, Senate Bill No. 86, entitled:

An Act to amend paragraph (f) of section two thousand three and paragraph (e) of section two thousand five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" by extending the authority of the Department of Highways to rent and sell certain equipment and material.

He also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 217, entitled:

An Act creating a joint legislative committee for the purpose of studying investigating and reporting findings and recommendations to the next regular session of the General Assembly on the problems of crime prevention, sentencing, incarceration, commutation of sentence, probation, parole, pardoning and penal systems authorizing the employment of necessary assistants and making an appropriation.

BILL INTRODUCED AND REFERRED

Mr. DENT. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Messrs. DENT and SCARLETT read in their places and presented to the Chair Senate Bill No. 539, entitled:

An Act to further amend section eight hundred one of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighting, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by requiring further hearings on proposed orders and eliminating the requirement of the Governor's approval for certain orders of the commission and any amendments or revisions thereof fixing or changing the price of milk.

Which was committed to the Committee on Apriculture.

HOUSE MESSAGE

SENATE BILL No. 112 RETURNED WITH AMENDMENT

The Clerk of the House of Representatives being introduced returned to the Senate, Senate Bill No. 112, entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States providing for proof of such membership making false statements in connection therewith perjury and suspending inconsistent laws during the effective period of the act.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested, which will appear on Monday's Calendar.

BILLS ON FIRST READING

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 86, entitled:

An Act to amend paragraph (f) of section two thousand three and paragraph (e) of section two thousand five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" by extending the authority of the Department of Highways to rent and sell certain equipment and material.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 92, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 176, entitled:

An Act to amend the act approved the twenty-eighth day of July, one thousand nine hundred and forty-one (P. L. 541), entitled "An act authorizing county commissioners to sell seated and unseated lands purchased at tax sales upon which the period of redemption has expired, and validating certain sales heretofore made," extending the time within which sales may be made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 187, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas, and such sales were not confirmed by the court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 208, entitled:

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 217, entitled:

An Act creating a joint legislative committee for the purpose of studying investigating and reporting findings and recommendations to the next regular session of the General Assembly on the problems of crime prevention, sentencing, incarceration, commutation of sentence, probation, parole, pardoning and penal systems authorizing the employment of necessary assistants and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 263, entitled:

An Act to amend section fifteen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," requiring written notice to be given in certain cases to each taxable person whose assessment shall be changed at any triennial assessment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 311, entitled:

An Act authorizing the county commissioners in each county of the second class to appoint a fire marshal and two assistant fire marshals providing for the term of office and compensation of the persons so appointed and prescribing their powers and duties imposing certain additional duties upon county commissioners policemen constables watchmen and other persons authorizing the fire marshal or his assistants to enter upon properties to investigate various fire hazards and to order the removal or abatement of such hazards conferring certain police powers upon the fire marshal and his assistants repealing certain general special and local legislation and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 355, entitled:

An Act to amend section five hundred thirty of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," providing for the filing of the treasurer's bonds.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 356, entitled:

An Act to amend clause one of section seven hundred two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the period for which contracts for lighting may be made.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 365, entitled:

An Act to further amend clauses (d) and (e) of section four hundred four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further changing provisions relating to the investment of the capital and reserve of mutual and stock life insurance companies organized under the laws of this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 405, entitled:

An Act to amend section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" relating to the operation of and the presence of minors in pool and billiard rooms and bowling alleys.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 421, entitled:

An Act to add section ten to the act approved the first day of July, one thousand nine hundred thirty-seven, (P. L. 2624), entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location, construction, and use of buildings, the size of courts and open spaces, the density of population, and the use of land," authorizing townships to make appropriations for said purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 485, entitled:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 486, entitled:

An Act to amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," by conferring upon said county court jurisdiction in appeals from the Workmen's Compensation Board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 487, entitled:

An Act to amend section three of the act, approved the tenth day of June, one thousand nine hundred thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," by relaxing, during the continuance of the present war, the educational requirements for applicants to take examinations for undertakers' licenses, if such applicants have completed ten or more years service as assistants to duly licensed undertakers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 502, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 503, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays, and for the enactment of licensing ordinances and resolutions in accordance therewith.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 503, entitled:

An Act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau; prescribing the powers and duties of such bureau; requiring the registration with such bureau by landowners of certain information relative to the location, ownership and transfer of title of real property located in such county; imposing certain additional duties upon the county surveyor, the sheriff and the recorder of deeds in such county; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 506, entitled:

An Act to further amend section one thousand thirty-three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," extending the provisions of such section for a further period of two years.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 515, entitled:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood, in said county, during the month of May, one thousand nine hundred forty-two.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 518, entitled:

A Act to amend section one hundred and one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" defining certain additional words and phrases when used in statutes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 521, entitled:

An Act relating to reservation of powers of the Commonwealth with respect to lands purchased or condemned by the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 561, entitled:

An Act to amend section two, of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," by increasing the amount for which, under certain conditions, such companies may issue policies in the event of death from natural or accidental causes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 588, entitled:

An Act to amend paragraph four of subsection (c) of section two hundred two and to further amend section six hundred twenty-nine of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by extending the purposes for which certain companies may be incorporated to include insuring medical, hospital, surgical and funeral expenses in connection with certain kinds of liability insurance; and insuring against loss or damage to property from certain causes for which the person insured is liable.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 629, entitled:

An Act to amend section four hundred thirty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the making of appropriations to more than one historical society.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 649, entitled:

An Act to amend section one thousand five hundred seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing a method for financing the cost of constructing sewers or drains

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 652, entitled:

An Act to amend section six hundred eleven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for the election of at least two delegates to attend State conventions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE. The time of recess having elapsed the Senate will be in order.

POINT OF ORDER

Mr. BARR. Mr. President, I rise on a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny will state his point of order.

Mr. BARR. There is not a quorum on the floor.

Mr. WALKER. If there is not a quorum on the floor, I think the Sergeant-at-Arms should be instructed to go out and bring in Senator McCreesh, and Senator Mundy and some of the others.

Mr. BARR. Mr. President, I have a record here of every Senator who is present; if the Sergeant-at-Arms would like to have it I will present it to him.

The PRESIDENT PRO TEMPORE. Will the Senators present wait until the other Senators come in from the committee rooms.

POINT OF ORDER

Mr. BARR. Mr. President, I rise to a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny will state his point of order.

Mr. BARR. Mr. President, I have stated that there is not a quorum present and I ask that the roll be called.

The PRESIDENT PRO TEMPORE. The Senators will take their seats.

Mr. WALKER. Mr. President, will the Sergeant-at-Arms bring the Senator from Allegheny, Mr. Cox, back to the floor?

The PRESIDENT PRO TEMPORE. The order of business before the Senate is the calling of the roll at the request of the gentleman from Allegheny, Mr. Barr.

Mr. WALKER. Mr. President, before the roll is called I ask that the Sergeant-at-Arms escort the Senator to his seat.

The PRESIDENT PRO TEMPORE. For the information of the Senator from Allegheny, Mr. Cox, the roll is about to be called.

The Clerk will call the roll.

POINT OF ORDER

Mr. HOLLAND. Mr. President, I rise to a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny will state his point of order.

Mr. HOLLAND. Mr. President, when the Senate is being polled the doors are supposed to be closed and the Sergeant-at-Arms are supposed to be posted.

The PRESIDENT PRO TEMPORE. The roll is about to be called; nothing else is in order.

QUORUM PRESENT

The Clerk called the roll and the following Senators were present:

Barr,
Becker,
Carr,
Coleman,
Cox,
Crider,
Dent,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Stevenson,
Stiefel,
Tallman,
Wade,
Walker,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

The PRESIDENT PRO TEMPORE. The roll having been called, the Clerk announces 29 Senators are present, constituting a quorum.

BILL SIGNED

The PRESIDENT PRO TEMPORE (Charles H. Ealy) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 130, entitled:

An Act to amend section two hundred thirteen of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by prohibiting the sale of or offering for sale of bait-fish or fish-bait taken from the waters of this Commonwealth, when not artificially propagated and sold pursuant to an artificial propagation license granted by the board.

Whereupon,

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. HALUSKA. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HALUSKA, from the Committee on Congressional Apportionment reported as amended, Senate Bill No. 272, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I, of course, propose to object to Senate Bill No. 272 being read for the first time and I want to serve notice on the Chair that, starting Monday, every bill will be read at length on first, second and third readings. If you want to hire more reading clerks, that is up to you.

MOTION TO READ BILLS THE FIRST TIME

Mr. WALKER. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I want the bill read with the amendments.

The PRESIDENT PRO TEMPORE. A motion has been made by the Senator from Allegheny, Mr. Walker, seconded by the Senator from McKean, Mr. Thomas B. Wilson, that all bills reported from committee be read for the first time. All bills reported from committee at today's session have been read for the first time, excepting a bill relating to congressional apportionment, Senate Bill No. 272.

If there is objection to reading that bill the Chair will sustain the objection.

Mr. BARR. I object, Mr. President.

The PRESIDENT PRO TEMPORE. For the information of the Senators, the bill has not been printed and under the Constitution it can not be read for the first time.

Mr. WALKER. Mr. President, do I understand that the Chair has overruled my motion.

The PRESIDENT PRO TEMPORE. The motion is out of order, if there is objection.

Mr. WALKER. Mr. President, do I understand that the gentleman from Allegheny, Mr. Barr, objected to the bill being read for the first time.

The PRESIDENT PRO TEMPORE. That is correct.

Mr. WALKER. Do I further understand, Mr. President, that the bill will appear on the first reading Calendar on Monday?

The PRESIDENT PRO TEMPORE. That is correct.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, I am about to move that the Senate adjourn for the week. However, I would like to warn the members of the Senate that if the gentleman from Allegheny, Senator Barr, insists on his motion that all bills be read at length, it will be necessary that commencing Tuesday, April 13, 1943, all sessions of the Senate will start at 5:30 a. m.

Mr. BARR. I will be here.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Monday, April 12, 1943, at 4:00 o'clock p. m. Eastern War Time.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:38 o'clock p. m. Eastern War Time until Monday, April 12, 1943, at 4:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

THURSDAY, April 8, 1943.

The House met at 1 P. M.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Rev. W. D. Krick, Pastor of the Grace Evangelical Congregational Church of Steelton, offered the following prayer:

Our Father which art in Heaven: Hallowed be Thy name: Thy Kingdom come: Thy will be done on earth as in Heaven.

We come before Thee bowing in humble submission to Thy divine will knowing that what ever You do is done well.

Bless our nation and those in authority that they will allow Thee to use them for the peace of the world.

Bless the Speaker of the House and his family. Bless the Governor of our state: Bless the Members of the House as they deliberate: That they will not make any laws which would bring disgrace upon them or the name they bear.

We ask Thee to bless every pastor and every church in our state where ever Thy name is revered and preached.

Bless our armies where ever they are: Give them courage for the task they are to perform.

All this we ask in the name of Our Lord and Master. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, April 7, 1943.

The Clerk proceeded to read the Journal of Wednesday, April 7, 1943, when, on motion of Mr. HUNTLEY, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. DAGUE. HOUSE BILL No. 1093.

An Act making an appropriation to the Board of Finance and Revenue of the Commonwealth of Pennsylvania to be used for redeeming credit certificates heretofore granted for overpayments of state personal property taxes, penalties and interest, and for granting cash refunds of such overpayments after the effective date of this act.

Referred to the Committee on Appropriations.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 11.

An Act to amend section eighteen of the act, approved the thirteenth day of June, one thousand eight hundred thirty-six (P. L. 551), entitled "An act relating to roads, highways and bridges," authorizing vacation of parts of public roads where termini of remaining parts of road are not in public highway or place of public resort.

Referred to the Committee on Highways.

SENATE BILL No. 48.

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending certain provisions of Section one thousand and twelve thereof for the duration of the war and six (6) months thereafter.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 49.

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibusses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commowealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending the provisions of Section nine hundred and two (f) thereof for the duration of the war and six (6) months thereafter.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 63.

An Act to amend the act approved the twenty-second day of April, one thousand nine hundred and thirty-seven (P. L. 394), entitled "An act to authorize the Secretary of Highways to disregard terminal points in relocating State highway routes under certain conditions," by adding certain other conditions under which the Secretary of Highways may disregard terminal points.

Referred to the Committee on Highways.

SENATE BILL No. 64.

An Act authorizing the Secretary of Highways to establish, construct and maintain parallel or approximately parrellel State highways in townships, boroughs, incorporated towns and cities in certain cases, providing for the payment of property damages resulting therefrom and authorizing the Secretary of Highways to control the direction of the flow of traffic thereover.

Referred to the Committee on Highways.

SENATE BILL No. 65.

An Act to further amend section one of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 392), entitled "An act providing that highways, or sections thereof, abandoned as State highway routes, shall revert for maintenance to the party or parties responsible for the maintenance of said highways prior to their coming under the jurisdiction of the Department of Highways," by providing that sections of highways abandoned by relocation shall be maintained by and at the expense of the township, borough, incorporated town or city within which they are located, after being improved and repaired by the Department of Highways and by adding a new section to provide that portions or sections of the old highway which are not included within the changed, altered or established widths, shall be considered vacated if such portions or sections are not of the full width of the highway as previously established.

Referred to the Committee on Highways.

SENATE BILL No. 105.

An Act to amend section two thousand three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof including the boards of trustees of State Normal Schools, or Teachers College; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissioners, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers; and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," authorizing the Department of Highways to condemn rights-of-way as agent for the Federal Government.

Referred to the Committee on Highways.

SENATE BILL No. 131.

An Act to further amend section two hundred twenty of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing for the issuing of lifelong free resident fishing licenses to persons seventy years of age or over

Referred to the Committee on Fisheries.

SENATE BILL No. 238.

An Act to amend sections four and six of, and to add section 7.1 to, the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commission, after popular referendum, and the appointment of their members by the county commissioners; prescribing the powers and duties of such commissions," providing that the Secretary of Agriculture cooperate with, and be a member ex-officio of, the county mosquito extermination commission; prescribing powers and duties of the Secretary of Agriculture and said commissions; providing that costs of abating nuisances from breeding of mosquito larvae may be assessed against lands where breeding exists; and providing that said act shall not apply to counties of the first class.

Referred to the Committee on Counties.

SENATE BILL No. 341.

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations, and joint-stock associations; providing the manner of collecting such tax and prescribing penalties," by further extending the exemptions from the tax imposed by the said act

Referred to the Committee on Ways and Means.

SENATE BILL No. 347.

An Act to add section six hundred seventeen and one-tenth to the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for special operators' licenses after suspension for persons required to operate motor vehicles in course of employment.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 388.

An Act to amend sections three and four of and to add section 6.1 to the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties, cities, boroughs and incorporated towns.

Referred to the Committee on State Government.

SENATE BILL No. 389.

An Act to amend clause (g) of section three of, and to add section fourteen and one-tenth to, the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns.

Referred to the Committee on State Government.

SENATE BILL No. 407.

An Act to amend section three of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all socities to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner: and repealing existing laws," providing for the waiving of the requirement for the holding of meetings by societies under certain conditions.

Referred to the Committee on Insurance.

RESOLUTION INTRODUCED AND REFERRED

By Mr. WORLEY. (Concurrent) RESOLUTION No. 57.

In the House of Representatives, April 7, 1943.

Whereas, Because of the lack of materials and equipment during the present wartime emergency, no new highway construction can be undertaken until after the victory, when the post-war reconstruction and readjustment period will begin; and

Whereas, Numerous public improvements are being projected for that anxiously awaited period when materials, supplies and equipment will once more be available, and when the problem once more is likely to be to find work for the man rather than, as now, to find a man for the work; and

Whereas, Many of the contemplated projects are buildings or other structures at the State Capitol or other localities where they benefit comparatively few of Pennsylvania's millions of citizens, while hard surface highways throughout the State benefit every man, woman and child who has the use of an automobile, and brings back to those who pay the bills, through taxation, a far greater share of the advantages derived from the expenditure of his money than any building in any one locality possibly can do; therefore be it

Resolved, That the House of Representatives of the Commonwealth of Pennsylvania hereby go on record as favoring the construction of hard surface roads throughout the State as the most desirable and equitable means of providing employment during the readjustment period that will immediately follow the cessation of hostilities in the present war; and hereby urge upon the Governor who shall be in office at that time, and upon the Secretary of Highways appointed by him, that, as soon after the return to civilian life of the men from Pennsylvania now serving throughout the world in the armed forces of the United States, as materials and equipment therefor can be obtained, a State-wide program of highway construction be formulated and put into operation by the building of hard top roads in all rural communities and in all other communities where such needed roads are yet to be provided.

Referred to the Committee on Highways.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. HOFFMAN for himself for today's session.

Mr. JONES for himself for today's session.

Mr. Paul L. Wagner for Mr. WACHHAUS for today because of illness in the family.

Mr. Royer for Mr. TROUT for today's session.

Mr. Walter E. Rose for Mr. SOLLENBERGER for today's session.

REPORTS FROM COMMITTEES

Mr. REYNOLDS, from the Committee on Insurance, reported as committed, House Bill No. 665, entitled:

An Act to amend section three hundred sixteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds, associations, reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," by extending the provisions to include officers and employees.

Mr. SORG, from the Committee on Judiciary Special, reported as committed, House Bill No. 700, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making any attempt to commit rape a felony; prescribing the penalty therefor; and providing that whoever attempts to commit any offense made punishable by said act, without completing such offense, may be separately indicted, tried and convicted for such attempt.

Mr. REAGAN, from the Committee on Agriculture, reported as committed, House Bill No. 757, entitled:

An Act to abolish the State Soil Conservation Board in the Department of Agriculture and all soil conservation districts founded or being founded; to repeal the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2724), entitled "An act relating to soil conservation and soil erosion, and regulating land use practices contributing to soil wastage and soil erosion; providing for the organization of soil conservation districts, as governmental subdivisions of the Commonwealth, with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources; prescribing the officers and employes thereof, and defining their powers and duties; creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act; providing financial assistance to such soil conservation districts; prescribing penalties and making an appropriation," and its amendments.

Mr. TIEMANN, from the Committee on Judiciary Special, reported as committed, House Bill No. 1092, entitled:

An Act to amend section twelve of the act, approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 710), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," changing the minimum age for participants in amateur boxing, sparring and wrestling matches and exhibitions and providing a penalty.

Mr. O'NEILL, from the Committee on Insurance, reported as committed, Senate Bill No. 407, entitled:

An Act to amend section three of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," providing for the waiving of the requirement for the holding of meetings by societies under certain conditions.

Mr. FLACK, from the Committee on Insurance, reported as amended, House Bill No. 843, entitled:

An Act to further amend section three hundred twenty-one of the Act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulating, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by conforming said section to existing law by requiring the tax imposed thereby to be reported and paid to the Department of Revenue instead of the Insurance Commissioner.

Mr. DAGUE, from the Committee on Welfare, reported as amended, House Bill No. 1071, entitled:

An Act to further amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependant children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mothers' Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mothers' assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," declaring the legislative intent restricting the powers of the Department of Public Assistance and the State Board of Public Assistance; extending the powers of county boards of assistance; and making provision reciprocal with other states, for assistance to certain aged persons.

Mr. MADIGAN, from the Committee on Agriculture reported as committed, House Resolution No. 53.

Mr. LAUGHNER, from the Committee on Cities—Second Class, re-reported as committed, House Bill No. 663, entitled:

An Act to further amend Section 2, to amend Sections 3 and 5, to add Section 8.1, and to amend Section 11 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by reducing the number and changing the manner of appointment of members of said board, further prescribing their powers and duties; fixing the qualifications and requiring examinations of employes of the board; further regulating the making of assessments and valuations of real property; and imposing duties on certain county officers.

Mr. DENNISON, from the Committee on Mines and Mining, reported as amended, House Bill No. 483, entitled:

An Act to reenact and further amend section one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work; providing for the correction of unsafe conditions in and unsafe operation of such mines, and for remedies to close such mines until such conditions are corrected; and providing penalties.

SENATE MESSAGES

The Clerk of the Senate, Mr. McGroerty being introduced, presented the following extracts from the Journal of the Senate:

House Bills returned without amendment: Nos. 193, 487, 551, 694, 695 and 697.

For concurrence Senate Bills Nos. 17, 311 and 404. which were laid upon the table.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 551.

An Act to amend section four of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and merchandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalties for the violation thereof and for the imposition of license fees for permission to conduct the same" by forbidding the continuation of the same business at the same location after the expiration of a license for conducting a removal or closing-out sale.

HOUSE BILL No. 694.

An Act to amend sections one, five, seven, nine and twelve, and to repeal section six of the act, approved the twenty-seventh day of May, one thousand nine hundred and thirty-seven (P. L. 901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers, and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties," by changing definitions, the period of the license and the fee therefor, and the contents of records; eliminating the requirement for a bond, and adding to the reasons for refusing licenses.

HOUSE BILL No. 695.

An Act to repeal the act, approved the twenty-third day of June, one thousand eight hundred ninety-seven (P. L. 202) entitled "An act to prevent fraud and deception in the manufacture and sale of cheese, and defining what shall constitute the various grades of cheese, providing rules and regulations for marking and branding the same, providing for the enforcement of this act, prescribing penalties for its violation."

HOUSE BILL No. 697.

An Act to amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 650) entitled "An act requiring persons associations partnerships and corporations and their agents herein defined as dealers and brokers engaging in the business of buying receiving selling exchanging negotiating or soliciting the sale resale exchange or transfer of certain domestic animals to be licensed by the Department of Agriculture providing for the revocation of such licenses imposing certain duties on such dealers and brokers and their agents conferring powers on said department and providing penalties" by changing the definition of "dealer"

HOUSE BILL No. 193.

An Act to amend Section six hundred fifty-one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate amend and revise the penal laws of the Commonwealth," permitting persons under the age of eighteen years to be present in bowling alleys

HOUSE BILL No. 487.

An Act to amend section three of the act, approved the third day of May, one thousand nine hundred and nine (P. L. 413), entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land, the price to be paid for the same, the conveyance to the State Forestry Reservation Commission, where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers, and providing for acceptance of returns of surveys without limitation as to excess or surplus," by providing for granting of warrants and rights to certain additional lands.

With the information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 551.

An Act to amend section four of the act, approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2821), entitled "An act to regulate the sale, and advertising for sale, of goods, wares, and merchandise purporting to be an insurance, bankruptcy, mortgage, insolvent, assignees, receivers, trustees, removal or closing-out sale, or sale of goods damaged by fire, smoke, or water, in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith, and providing penalties for the violation thereof, and for the imposition of license fees for permission to conduct the same," by forbidding the continuation of the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale.

HOUSE BILL No. 694.

An Act to amend sections one, five, seven, nine and twelve, and to repeal section six of the act, approved the twenty-seventh day of May, one thousand nine hundred and thirty-seven (P. L. 901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers, and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties," by changing definitions, the period of the license and the fee therefor, and the contents of records; eliminating the requirement for a bond, and adding to the reasons for refusing licenses.

HOUSE BILL No. 695.

An Act to repeal the act approved the twenty-third day of June one thousand eight hundred ninety-seven (P. L. 202) entitled "An act to prevent fraud and deception in the manufacture and sale of cheese and defining what shall constitute the various grades of cheese providing rules and regulations for marking and branding the same providing for the enforcement of this act prescribing penalties for its violation."

HOUSE BILL No. 697.

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 650), entitled "An act requiring persons, associations, partnerships and corporations, and their agents, herein defined as dealers and brokers, engaging in the business of buying, receiving, selling, exchanging, negotiating, or soliciting the sale, resale, exchange, or transfer of certain domestic animals, to be licensed by the Department of Agriculture; providing for the revocation of such licenses; imposing certain duties on such dealers and brokers, and their agents; conferring powers on said department; and providing penalties," by changing the definition of "dealer."

HOUSE BILL No. 193.

An Act to amend Section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" permitting persons under the age of eighteen years to be present in bowling alleys

HOUSE BILL No. 487.

An Act to amend section three of the act approved the third day of May, one thousand nine hundred and nine (P. L. 413), entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacate or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess of surplus," by providing for granting of warrants and rights to certain additional lands.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

QUESTION OF INFORMATION

Mr. LEVY. Mr. Speaker, I arise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. LEVY. Mr. Speaker, the Clerk, in reading bills reported from committee this morning mentioned House Bill 1092. I fail to find that numbered bill in the history. May we have the title of the bill, please?

The SPEAKER. The Chair is informed that this bill has only been referred this week and would not be in the history. Any bill referred this week, of course, would not yet be in the history.

Mr. LEVY. Could we have the title of the bill read for our information, Mr. Speaker?

The SPEAKER. The Chair will send for the bill and will have the title read for the gentleman.

Mr. LEVY. I thank you, Mr. Speaker.

The SPEAKER. The Chair requests the gentleman from Philadelphia, Mr. Cohen, to preside.

For the information of the Members the Chair would advise that the last Printer's No. on bills on the desks of the Members is Printer's No. 392.

MR. COHEN IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House No. 135, entitled:

A Act to further amend section one thousand two hundred five A of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsyvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing temporary increases in compensation of professional employes of school districts, and the discontinuance of such temporary increases without the consent of such employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 153, entitled:

An Act authorizing the Department of Property and Supplies with the advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania, certain land upon which is located the site of Fort LeBoeuf in Waterford Borough, Erie County, or so much thereof, as may be necessary as a historical memorial providing for the control, management, supervision, improvement, restoration and maintenance thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof; authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Colonists and interested patriotic societies in providing funds for a restoration of Fort LeBoeuf and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 424, entitled:

An Act to amend section eighteen and one-tenth of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," extending the special file for the records of births of veterans of the World War to veterans of certain other wars.

And said bill having been read at length the first time, Ordered, To to laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 523, entitled:

An Act to amend subsection (c) of section twelve hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals of the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions. every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" by excepting therefrom the transfer of stock assigned by a decedent before his death as collateral security for a loan and requiring the holder of such stock to report concerning the sale thereof to the Department of Revenue.

And said bill having been read at length the first time, Ordered, To to laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 583, entitled:

An Act to further amend section fourteen of article four and section one of article five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," further regulating lamps to be carried by shot-firers and fire bosses.

And said bill having been read at length the first time, Ordered, To to laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 591, entitled:

An Act to amend section two of the act, approved the eighth day of April, one thousand nine hundred and thirty-seven (P. L. 256), entitled "An act relating to counties of the first class, and the duties of the treasurers thereof in connection with the collection of certain taxes, fees, license taxes, and license fees payable to the Commonwealth, and making provision for the disposition of the compensation therefor heretofore received by such treasurers," by authorizing the county treasurers in counties of the first class to deduct from moneys collected by them for the Commonwealth the amount of premiums paid by them for the bonds which they are required to furnish to protect and safeguard the funds of the Commonwealth in their hands.

And said bill having been read at length the first time, Ordered, To to laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No 624, entitled:

An Act to further amend section two thousand six hundred twenty-three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violations thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by providing for the fixing of the compensation of the controller auditing the accounts of second and third class school districts.

And said bill having been read at length the first time, Ordered, To to laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 679, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by increasing the term of the county, assistant county, district and assistant district superintendents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 720, entitled:

An Act requiring certain taxes of the political subdivisions in Counties of the First Class to be stricken from the records; prohibiting such taxes from being included in the computation of the solvent debts of such political subdivisions; providing for the collection thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 752, entitled:

An Act to further amend section four hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entited "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare, and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," by increasing the sum which institution districts may provide for certain burials.

And said bill having been read at length the first time, Ordered, To to laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 767, entitled:

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehices; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," changing the provisions of said act relating to registration plates and the issuance thereof by the department.

And said bill having been read at length the first time, Ordered, To to laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and considertaitn of House Bill No. 771, entitled:

An Act to amend section three hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," changing the provisions of said act relating to registration plates and the issuance thereof.

And said bill having been read at length the first time, Ordered, To to laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 780, entitled:

An Act to amend the definition of "Trailer" in section one hundred two of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act relating to the regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner, shall be exempt from registration fees.

And said bill having been read at length the first time, Ordered, To to laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 789, entitled:

An Act to amend the definition of "Trailer" in section one hundred two, as amended, of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the pubic safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," providing that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner, no registration fees shall be required therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 798, entitled:

An Act to further amend subsection (b) of section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by changing the provisions of said act relating to the further revocation and suspension of operating privileges of persons who operate motor vehicles while their operators' licenses or learners' permits are revoked or suspended.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 805, entitled:

An Act providing for the appointment of a clerk to the jury commissioners in counties of the third class by the court of common pleas; the fixing of his salary by the salary board, and the payment thereof by the county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to oder,

The House proceeded to the first reading and consideration of House Bill No. 927, entitled:

An Act to further amend the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporatons for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing certain routes and adding certain new routes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 937, entitled:

An Act to amend section two of the act approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance of the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by changing certain routes and adding certain new routes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 940, entitled:

An Act to further amend section two of the act approved the first day of June, one thousand nine hundred thirty three (P. L. 1172), entitled "An act establishing certain streets in boroughs and incorporated towns as State highways, and providing for their construction and maintenance at the expense of the Commonwealth," by changing certain routes and adding certain new routes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 944, entitled:

An Act to further amend the first paragraph of section nine of the act, approved the twelfth day of July, one thousand nine hundred thirteen (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by providing for the appointment of a director of probation and other employes, and providing for the fixing of their salaries.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 989, entitled:

An Act to amend clause three of section thirteen of article nineteen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth," by providing that persons certified by the Civil Service Commission as eligible for appointment or promotion to various positions who are prevented from accepting such appointment or promotion because of their entrance into the armed forces of the United States Government during time of war, shall be retained on a preferred eligible list for such appointments or promotions until two years after the termination of hostilities in such war.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1082, entitled:

An Act authorizing the Governor of the Commonwealth of Pennsylvania, for a limited period of time, to suspend or modify laws either in whole or in part under certain circumstances, during the existence of the present war.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 281, entitled:

An Act to amend section one of the act approved the eleventh day of May one thousand eight hundred ninety-three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" authorizing certain corporations to make allowances or pensions to officers or employes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 296, entitled:

An Act to repeal the act approved the twenty-seventh day of June one thousand nine hundred thirteen (P. L. 652) entitled "An act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers, in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof; providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities; providing for the creation of a canal board to have charge of said work; prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on; providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred; providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances; imposing certain duties upon the Auditor General and State Treasurer; authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor; and making an appropriation for carrying out certain provisions of this act" as amended by the act of the seventeenth day of June one thousand nine hundred fifteen (P. L. 990).

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 243, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 293, entitled:

An Act authorizing for a temporary period of time the employment of minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 317, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by further extending the exemptions from the tax imposed by the said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 451, entitled:

An Act to add section seven and one-tenth to the act approved the sixteenth day of July, one thousand nine hundred forty-one (P. L. 400), entitled "An act to protect the debtors, obligors or guarantors of debts for which judgments are entered, or many be entered, and owners of real property affected thereby, and others indirectly liable for the payment thereof, by prescribing the method of fixing the fair market value of such property sold on execution, and limiting the amount collectible thereafter on such judgments," providing for the entry of release and discharge of said judgments under certain circumstances.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 678, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund; clarifying certain provisions relating to extensions of time for filing tax reports or returns; eliminating the provisions imposing interest on tax bonus at any greater rate than six per centum per annum; changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time; providing for the automatic adjustment of interest liability so as to correspond to certain changes in tax or bonus liability; and further regulating the procedure for filing petitions for resettlement, petitions for review, appeals to court and the security accompanying such appeals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 797, entitled:

An Act to amend section two of article five of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by providing that certain low pressure boilers used for heating purposes only, shall be exempt from the requirements of said section which prohibits the installation of boilers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 835, entitled:

An Act to further amend section ten of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," appropriating one-half cent per gallon of said tax for the maintenance, construction, reconstruction, resurfacing and improvement of certain roads, and bridges in certain political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 711, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further providing for the appointment of assistant county superintendents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 77, entitled:

An Act to amend section eighteen and to further amend section twenty-two of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 487), entitled "An act to provide for the permanent personal registration of electors in boroughs, towns, and townships as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; requiring the county commissioners of the various counties to act as a registration commission therefor; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commsisioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," permitting registrations before justices of the peace or aldermen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 79, entitled:

An Act to amend section nineteen and to further amend section twenty-three of the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-seven (P. L. 849), entitled "An act to provided for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties; and repealing existing legislation," permitting registration before aldermen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 305, entitled:

An Act providing for the admission of children to and their education and maintenance in, and their discharge from the Pennsylvania Soldiers' Orphan School; prohibiting discharging children, or taking children from said school, or children from leaving the same, without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 360, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making wartime emergency provisions for substitute teachers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER. House Bill No. 563, Printer's No. 406, on page 16, and House Bill No. 596, Printer's No. 416, on page 17, bills on first reading are not on file and will be passed over.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 609, entitled:

An Act to further amend sections seven and thirteen of the act approved the third day of May, one thousand nine hundred thirty-three, (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture; transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State and election officers; providing penalties; and repealing existing acts," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL NOT ON FILE

The SPEAKER. House Bill No. 706, Printer's No. 407, on page 18 of today's calendar, is not on file and will be passed over.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 787, entitled:

An Act to further amend section one hundred thirty-six of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," changing the requirements for creating the office of county controller by court decree in counties of the sixth, seventh and eighth classes; and authorizing the establishment of such office by referendum.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL NOT ON FILE

The SPEAKER, House Bill No. 809, Printer's No. 408, on page 18 of today's calendar, is not on file and will be passed over.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 823, entitled:

An Act to further amend section fourteen of the act approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 286), entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricing their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by permitting examinations to be made by any licensed physician.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 825, entitled:

An Act to amend section one of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 403), entitled "An act fixing the salary of county commissioners in counties of the third, fourth, fifth, and sixth classes," by increasing the salary of county commissioners in counties of the sixth class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL NOT ON FILE

The SPEAKER. House Bill No. 845, Printer's No. 409, on page 19 of today's calendar is not on file and will be passed over.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 858, entitled:

An Act to amend section nine of the act approved the thirteenth day of May one thousand nine hundred and fifteen (P. L. 286), entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance re-issuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by changing certain rules for the issuance and filing return of employment certificates in certain public school districts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 20, entitled:

An Act to amend sections nine hundred twenty-two and nine hundred seventy-nine of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing for nominations where successful candidates have died before or on the day of the primary.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER. House Bill No. 26, Printer's No. 393.
House Bill No. 150, Printer's No. 394.
House Bill No. 156, Printer's No. 395.
House Bill No. 195, Printer's No. 396.

House Bill No. 397, Printer's No. 397.
House Bill No. 486, Printer's No. 412.
House Bill No. 501, Printer's No. 398.
House Bill No. 518, Printer's No. 399.
House Bill No. 578, Printer's No. 400.
House Bill No. 607, Printer's No. 411.
House Bill No. 608, Printer's No. 410, are not on file and will be passed over.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Philadelphia, Mr. Cohen, for presiding.

BILLS ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 393, entitled:

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court.

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 386, entitled:

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employes and original members and making further exception to compulsory membership in the system.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 546, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208), entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time by reducing the rate of tax eliminating the deduction for Federal taxes by further defining net income authorizing the Department of Revenue to grant an additional extension of time for filing reports changing the method of reporting in certain cases reducing the interest penalty on unpaid taxes and making certain of the changes effected by this reenacting and amending act retroactive to a certain extent.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 544, entitled:

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 545, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retaail dealers common carriers county commissioners and such distrbutors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 547, entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entited "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and by further defining the gross receipts tax liability of companies limited partnerships, associations joint-stock associations copartnerships and persons engaged in the sale of electric energy.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 548, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeaby to oder,

The House proceeded to the second reading and consideration of House Bill No. 1056, entitled:

An Act abolishing the entire Mercantile License Tax System repealing the various license taxes under said system except as to taxes already due abolishing certain offices and employments, providing for the collection of delinquent taxes providing for the final settlement of accounts between the Commonwealth and county treasurers and making certain repeals.

The first section was read.

On the question,

Will the House agree to the section?

Messrs. COHEN and HERMAN offered the following amendment:

Amend Sec. 1, page 1, line 4, by inserting after the words "forty-four" the following: "and neither the Commonwealth nor any political subdivision thereof shall thereafter levy any such tax, notwithstanding any existing law which otherwise would permit such levy by any political subdivision."

On the question,

Will the House agree to the amendment?

Mr. COHEN. Mr. Speaker, so that the purpose and intent of these amendments should not be misunderstood, it seems to me they do deserve some comment. Behind this particular amendment is our firm opinion on this side of the House that the entire tax program advanced by the administration, to put it charitably, we say is a negative program; it is considerably off base, and it is positively out of line with what we would consider to be the wishes of the people in Pennsylvania, and certainly away off base and away out of line with the promises of the Governor of Pennsylvania when he asked the people to elect him.

More will be said about the entire tax program, Mr. Speaker, at the right time. This particular bill, I believe, is bad because not only are the promises of one Governor being broken, but the promises of two Republican Governors are being broken, because emergency taxes were the onerous taxes which the people were told would be taken off their backs.

Now we have a permanent tax being taken out of the tax system of the Commonwealth. I should have no quarrel with reducing taxes, because my party campaigned on a pledge of tax reduction, and we state again very emphatically that we are, we were and we will be for tax reduction, provided the tax reduction takes care of the vast majority of people in Pennsylvania and not the cream of corporate taxpayers. I charged on this floor several times that this tax should have been allocated for a very worthy purpose, and for fear of offending some of the gentlemen on the other side, who might suspect that I was discussing a bill that had quite a stormy life in this session last week, I will not talk about school teachers, but I think we can now make the challenge, and I think we can now start to fight.

I am almost convinced that there is no desire on the part of the Governor or the administration to get down to wartime business, and at this late date, when our aims are all sighted on an early adjournment the latter part of this month, this bill, together with some of the others, is the definite statement of this administration that wartime measures are out, and by all means politics are in. If we are to fight on a political front, I am satisfied to fight on the political front and I am willing to start the fight on this bill and on these amendments.

The people of Pennsylvania were promised tax relief, so were the corporations, and we agree that the corporations have been taxed for emergency purposes too long and we pledged to reduce those taxes, but our tax program had a heart and it had a soul; we felt that the little people also should be relieved of taxes. But this bill digs into a prominent part of our tax program and will relieve, if anybody at all, a few wealthy merchants in Allegheny County, in Philadelphia County, possibly Montgomery County, Dauphin County, and maybe Cambria County, and those counties where some large mercantile establishments are located.

This is probably the closest approach, if we may give a charitable interpretation to that term, to a tax reduction away from purely corporate relief. It is the purpose of this minority, Mr. Speaker, to make sure that the political tinge to this bill cannot be carried out in full effect. We do not complain at this point that because of the abolishment of this tax, which might deprive some Democrats of jobs that the bill ought not to pass, but we are certainly prepared to tell the people of Pennsylvania that the desire to abolish this tax is no part of any man's program or any party's program for tax reduction to the people, that it is just another way of playing the political game with the American flag wapped around it, and we intend to unfurl that flag today and take it off the political body and expose it for what it is worth. We want to be sure that if this administration sincerely feels that this is a tax reduction, that it is going to stay a tax reduction and that it is going to stay a tax reduction because we are not going to have the politicians in all the counties in Pennsylvania chasing down to their councils and their commissioners and their taxing bodies the minute this bill is signed, and impose taxes in every county in Pennsylvania for the tax hungry counties, for additional revenue and additional political jobs.

This bill stands unmasked as a political job grab, not by the trick ripper method of ripping jobs out by transferring the departments, because you will remember in the 1939 session even the Republicans of that time could not stand for ripping, but by abolishing the tax on a statewide basis because it is supposed to be a tax reduction measure only, and leaving the way open for political subdivisions to remake the jobs on any terms that they wish to make the jobs, and in that way not bear the stigma of low political ripping.

I am willing to accept the charge that the pattern of ripping started in 1937, and that I voted for the then so called Earle rippers, but let me put the matter clear in everybody's mind, if I may digress only briefly and without intending to offend the rules, in 1937 we had an accumulation of fifty years of what we believed, and the people who elected us believed to be bad governmental management, and the only way that you can get rid of a cancerous growth and a bad situation is by a severe surgical operation, and that is what we intended.

But, Mr. Speaker, despite the fact that politics may have been a motivating cause, I insist that it was not the cause, but in this bill the main cause is politics pure, and plunder pure and simple, and we want the record to show that from this point on in, if this is all this administration can offer in the way of cooperative wartime legislation, if this must be the measure of the standard by which we are to judge our conduct for the remaining days of the session, the challenge is accepted, and we will be political until such time as the majority tells us they are ready to sit down and be non-political.

Mr. WINNER. Mr. Speaker, in answer to the gentleman from Philadelphia concerning the amendments to House Bill 1056 which he has presented, I appreciate the fact that the gentleman from Philadelphia has gone far afield in the amendments which he has presented, and that the Chair has allowed him great latitude in discussing his amendments. However, at this time I do not propose to go into the matter of the tax program. We will take care of that when it appears on third reading, but I believe we can tell the House at that time that we will have one of the best tax programs that has ever been presented to this body.

Concerning the amendments, however, the gentleman from Philadelphia is trying through his amendments to prohibit the levying of a mercantile tax by the Commonwealth or any political subdivision. I don't know whether the gentleman from Philadelphia knows, but several subdivisions of the Commonwealth are now levying such a tax, and his amendments would make them discontinue that particular tax and throw their budget very much out of balance. It is not the intention of House Bill No. 1056 to disturb any political subdivisions in their home rule, and I ask the members of the House to vote down these amendments.

Mr. LEVY. Mr. Speaker, I desire to interrogate the Majority Leader of the House.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to inquire of the gentleman from Lehigh as to whether it is the intention of the administration by the passage of this act to do away with mercantile taxation in Pennsylvania?

Mr. LICHTENWALTER. As far as the Commonwealth is concerned.

Mr. LEVY. Mr Speaker, does the gentleman from Lehigh mean to infer to the membership that the Republican leadership then might approve the imposition of a mercantile tax in political subdivisions of the Commonwealth?

Mr. LICHTENWALTER. Mr. Speaker, that is already being done. There are many political subdivisions in Pennsylvania that are today levying a tax of this kind.

Mr. LEVY. Mr. Speaker, does the gentleman from Lehigh mean to infer that there are several political subdivisions in the Commonwealth that are levying a mercantile tax on the same principle that a mercantile tax is levied by the Commonwealth under the authority of the Auditor General of Pennsylvania?

Mr. LICHTENWALTER. There are, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I want the gentleman to get clear, does the gentleman mean to infer that we in Pennsylvania assess a mercantile tax on residents in a political subdivision and that same political subdivision through local taxation assesses the same and the one tax?

Mr. LICHTENWALTER. They do, Mr. Speaker.

Mr. LEVY. Mr. Speaker, will the gentleman from Lehigh then inform the membership as to which particular subdivisions in the Commonwealth assess a local mercantile tax in addition to the tax imposed by the Commonwealth?

Mr. LICHTENWALTER. Practically all the third class cities, Mr. Speaker, in Pennsylvania.

Mr. LEVY. Would the gentleman make clear to the House what is the nature and subject of that tax? and what is the name of it in the particular community.

Mr. LICHTENWALTER. It is under a mercantile license obtained in those particular political subdivisions, and I will say very, very similar in every manner to the state mercantile tax except that it is not under the Auditor General's department of the Commonwealth.

Mr. LEVY. Mr. Speaker, I desire to inquire of the gentleman from Lehigh as to whether he is prepared to say that this tax in the local community on merchants of that particular community is assessed on the same basis and by the same means as the taxes assessed by the Auditor General's department of the Commonwealth of Pennsylvania?

Mr. LICHTENWALTER. It is my understanding, and I cannot answer whether it is done in all cases, but certainly in many, many cases in exactly the same manner. I believe here in Harrisburg it is done in exactly the same manner and the same amount as that which the Commonwealth levies.

Mr. LEVY. Mr. Speaker, I am not inquiring of the gentleman as to the nature of the collections. All taxes are collected eventually. I am talking about the base and the means and the basis on which these taxes are levied.

Mr. LICHTENWALTER. Mr. Speaker, I am glad to hear that the gentleman in his remarks made the statement that all taxes are eventually collected. I think that will remove a lot of the difficulty we have had in the past. But I also want to say that the basis upon which this tax is collected and the manner in most political subdivisions that levy such a tax is exactly the same, at least to the best of my knowledge, as that of the Commonwealth in the levying and collecting of such a tax.

Mr. LEVY. Mr. Speaker, I then want the majority leader to give me one specific community in Pennsylvania where the identical mercantile tax is levied by the individual political subdivision the same as the one levied by the Commonwealth in the same political subdivision.

Mr. LICHTENWALTER. To the best of my knowledge, Mr. Speaker, I think we could include the cities of Harrisburg, Johnstown, Allentown, Altoona, and many, many more in the Commonwealth of Pennsylvania.

Mr. LEVY. Mr. Speaker, I desire then to inquire from the gentleman upon what basis is the mercantile tax levied in Harrisburg.

Mr. LICHTENWALTER. I just did answer that, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to know on what basis is the tax in Harrisburg levied? It is not levied on assessments by mercantile agents of the state. I want to know what agency in Harrisburg levies it, who assesses it, who collects it and the nature of the tax.

Mr. LICHTENWALTER. Mr. Speaker, I might say that the tax is collected and based on the duplicate mercantile report to the Commonwealth, and not only am I informed that this is done in Harrisburg and other third class cities, but I can point out to the gentleman counties that have levied that tax on the duplicate report to the Auditor General of the Commonwealth.

Mr. LEVY. Mr. Speaker, are the business men in Harrisburg then paying a tax on the gross amount of business, retail business and wholesale business, per year in the city of Harrisburg, and likewise paying the same tax to the Auditor General in Harrisburg?

Mr. LICHTENWALTER. I think, Mr. Speaker, that that answered clearly before when I said that the tax was based and paid on the duplicate report made to the Auditor General's Department of the Commonwealth. Certainly I think they would pay the same fee for the same business that they were engaged in if they paid it to the city or if they paid it to the Commonwealth.

Mr. LEVY. Mr. Speaker, is the majority leader of the Republican party equipped and prepared to state to this House the provision of the Sterling Act of 1933, is the majority leader of the House prepared to give the House a resumé of the Sterling Act of 1933 in regard to such taxation?

Mr. LICHTENWALTER. I am not, Mr. Speaker, but in regard to the problem with which we are confronted here, I believe, of course, that applies only to first and second class cities.

Mr. LEVY. Mr. Speaker, may I inquired of the gentleman from Lehigh if he recalls in the Sterling Report that it is not legal for a local subdivision of the state to assess a tax that is assessed by the State of Pennsylvania?

Mr. LICHTENWALTEI. As I just mentioned before, Mr. Speaker,

Mr. LEVY. Get your advisers together.

Mr. LICHTENWALTER. I just stated that it applied to the best of my knowledge only to first and second class cities, and up to this time we haven't mentioned that this tax was levied in first and second class cities. I mentioned third class cities and said that I would be glad to mention a specific county that was levying this type of tax upon the duplicate report of the Mercantile Appraisers.

Mr. LEVY. Do I understand then, Mr. Speaker, that—

POINT OF ORDER

Mr. BRETHERICK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. BRETHERICK. Mr. Speaker, the gentleman from Philadelphia, Mr. Levy, just made a remark to the affect that the Majority Leader should get his advisers together. We on this side resent that remark because the gentleman from Philadelphia has continually been receiving—

The SPEAKER. Will the gentleman from Philadelphia yield to the gentleman from Delaware?

Mr. LEVY. I will, Mr. Speaker.

Mr. BRETHERICK. We on this side resent that remark because the gentleman from Philadelphia has been continually receiving slips containing advice from the Minority Leader, which is entirely satisfactory, we have no objection to it, but that remark was entirely uncalled for.

POINT OF ORDER

Mr. FLEMING. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. FLEMING. Mr. Speaker, are we not discussing the amendments to the bill?

The SPEAKER. We are discussing the amendments to section one of House Bill 1056, Printer's No. 383.

Mr. FLEMING. Mr. Speaker, I raise the point of order that the gentleman from Philadelphia, Mr. Levy, is not discussing the amendments.

The SPEAKER. The Chair will read the amendments for the information of the House:

> "Amend Section 1, page 1, line 4, by inserting after the word "forty-four" the following: "and neither the Commonwealth nor any political subdivision thereof shall thereafter levy any such tax, notwithstanding any existing law which otherwise would permit such levy by any political subdivision."

The Chair is of the opinion that the interrogation is pertinent to the subject. The gentleman from Philadelphia, Mr. Levy, has the floor.

Mr. LEVY. Mr. Speaker, I desire to further interrogate the gentleman from Lehigh.

The SPEAKER. Will the gentleman from Lehigh, Mr. Lichtenwalter, permit himself to be further interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, the gentleman from Lehigh said that it was in his belief, or rather he has stated that up until now he had not mentioned a similar tax in first and second class cities but in third class cities, or something or other. I am not so particularly interested in that statement because I know that this tax is not levied in first class cities. However, I desire to inquire of the gentleman further as to whether or not in the Sterling Report of 1933, taxation by a local community is prohibited when it is the same tax in nature and subject as the tax levied by the Commonwealth of Pennsylvania?

Mr. LICHTENWALTER. Mr. Speaker, to the best of my knowledge that applied to first and second class cities.

Mr. LEVY. Mr. Speaker, I desire to inquire of the gentleman from Lehigh as to whether or not first class cities are political subdivisions?

Mr. LICHTENWALTER. They are, Mr. Speaker.

Mr. LEVY. I might inform the gentleman that the Sterling Report, I believe, speaks of political subdivisions and does not differentiate between first, second and third class cities.

Mr. LICHTENWALTER. Mr. Speaker, I have before me House Bill 753 which I believe is an amendment to the Sterling Act, approved the fifth day of August, 1932, P. L. 45, entitled:

> An Act empowering cities of the first and second classes to levy assess and collect or to provide for the levying assessment and collection of certain additional taxes for general revenue purposes authorizing the establishment of bureaus and the appointment and compensation of officers and employes to assess and collect such taxes and permitting penalties to be imposed and enforced.

I think that that title to the Sterling Act will definitely show that it only affects cities of the first and second class.

Mr. LEVY. Mr. Speaker, I could not get the entire drift of the act of 1933 that the gentleman read but I did gather this, that the nature of the tax I failed to hear. What tax is the gentleman referring to? Is it a tax already imposed by the Commonwealth of Pennsylvania or is it a tax imposed by the various political subdivisions?

Mr. LICHTENWALTER. Mr. Speaker, I didn't say Mr. Speaker, it referred to any tax.

Mr. LEVY. Mr. Speaker, well then, what is the gentleman attempting to prove?

Mr. LICHTENWALTER. Mr. Speaker, I am under interrogation. I am not trying to prove a thing. I am trying to answer the gentleman's questions.

Mr. LEVY. Mr. Speaker, the gentleman voluntarily read a portion of some act or some report in 1932. I assume it was in answer to the interrogation as to the Sterling Report. Will the gentleman kindly inform the House as to what he wishes to bring before the House and what information he wishes to convey?

Mr. LICHTENWALTER. Mr. Speaker, I have heard during this interrogation reference made to the Sterling Report. I don't know that any reports in the history of Pennsylvania have authorized or given authority to any political subdivision to levy or collect any type of tax. When the gentleman talks about the Sterling Report, what particular authority that report can give to any political subdivision and how it should collect the money or the tax is something new to me.

Mr. LEVY. Mr. Speaker, this question might be a little easier. I see on the same calendar a bill introduced to reenact and also to reduce the corporate net income tax as imposed by the Commonwealth of Pennsylvania. Will the gentleman from Lehigh tell the House if he feels that third class cities might be in a position according to the laws of the Commonwealth to impose a tax individually upon the local subdivisions, political subdivisions, expenditures and revenues on corporate net income tax returns.

POINT OF ORDER

Mr. FLEMING. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. FLEMING. Mr. Speaker, I again say that the gentleman from Philadelphia, Mr. Levy, is not speaking on the amendments, he is speaking on another bill on the calendar.

The SPEAKER. The point of order in this case, the Chair thinks, is well taken. The Chair would caution the gentleman from Philadelphia to confine his remarks to the amendments to Section 1 of the bill.

Mr. LEVY. Mr. Speaker, I assure you that I will not refer to a particular bill on the calendar. I merely wanted to ask the gentleman from Lehigh if he feels that cities of the third class in the Commonwealth could impose a local tax on corporations in regard to their net corporate income.

POINT OF ORDER

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Montgomery will state his point of order.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I desire to ask whether a Member, once the Chair has ruled that he is not confining his remarks to the amendments can do so in another way by reframing the question in the interrogation before this House?

The SPEAKER. Will the gentleman kindly repeat his question?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, The Chair has already ruled that the gentleman is out of order on this particular question.

The SPEAKER. That is correct. Will the gentleman yield? The Chair will request the gentleman from Philadelphia to repeat his question?

Mr. LEVY. Mr. Speaker, I am inquiring of the gentleman from Lehigh whether he thinks it is legal under the laws of the Commonwealth for cities of the third class in the Commonwealth of Pennsylvania to assess a tax on corporations within the boundaries of the third class cities on the basis of corporate net income?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I submit that the gentleman is out of order because he is not confining his inquiries to the amendments before the House.

The SPEAKER. The Chair has ruled that the point of order is well taken. The Chair insists that the gentleman base his interrogation strictly upon the question before the House.

Mr. LEVY. I realize, Mr. Speaker, that I have somewhat placed the Republican leadership in the position of finally not being able to answer the question. I only want to say that yesterday in the debate on second reading on amendments, when I myself was on the floor, the Minority Leader rose and inquired of the Speaker as to whether it is not always in order for Members of the House to discuss the laws of the Commonwealth, and the Speaked ruled in that instance that discussing the laws of the Commonwealth would be in order, but directing—

The SPEAKER. Will the gentleman yield?

Mr. LEVY. Yes, I will Mr. Speaker.

The SPEAKER. The point of order was raised while the bill was on third reading. The Chair is quite certain that that is the fact. The Speaker also ruled that it was proper to discuss laws of the Commonwealth if they were germane to the subject.

The Chair desires to read for the information of the House a ruling from the national House of Representatives—our rule is very similar to the rule of the national House of Representatives since it is based on that rule. The Chair would like to read this paragraph for the information of the House:

> "He shall confine himself to the question under debate." Much meat is packed into this simple statement. and if the discussion is to be kept from aimless

> wanderings over an indefinite territory, this rule must be observed. If it is not, the debate ceases to be a logical discussion on the particular subject and becomes a rambling and incoherent medley of unrelative statements. Of course, discretion is called for. Where there is plenty of time for debate and it is of a general character more leeway is necessarily expected and allowed.

The gentleman from Philadelphia will proceed and confine himself to the question before the House.

QUESTION OF INFORMATION

Mr. LEVY. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. LEVY. Mr. Speaker, is it not true that we are debating the amendments offered by the gentleman from Philadelphia, Mr. Cohen, which tend to prohibit the reenactment of this tax which we are attempting to abolish, by any political subdivision in the state hereafter, is that not true?

The SPEAKER. The Chair has repeatedly informed the House that we are debating the question on the amendments and also read the amendment for the information of the House to section 1 of the bill. The Chair insists that the gentleman confine himself to the question before the House.

Mr. LEVY. Mr. Speaker, is not the question that I have propounded to the gentleman from Lehigh in relation to section 1 of this bill now under debate?

The SPEAKER. The Chair would again inform the gentleman from Philadelphia that section 1 is not the subject of debate. The question before the House is on the amendment offered by the gentleman from Philadelphia, to section 1.

Mr. LEVY. Mr. Speaker, do not the amendments to section 1, offered by the gentleman from Philadelphia, have relation to the question I have asked the gentleman from Lehigh in regard to taxation in the Commonwealth?

The SPEAKER. The Chair has already ruled that the point of order of the gentleman from Allegheny, Mr. Fleming, is well taken. The Chair insists that the gentleman confine his remarks to the question before the House.

Mr. LEVY. I thank you, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Winner.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. WINNER. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, for the purpose of clarifying the issue, did I understand the gentleman correctly when he said that this amendment which was offered should be voted down because it would upset the already adopted budgets of many of the political subdivisions in Pennsylvania?

Mr. WINNER. Mr. Speaker, I said that it would interfere with home-rule and more than likely upset the budgets.

Mr. COHEN. I thank the gentleman.

AMENDMENT WITHDRAWN

Mr. COHEN. Mr. Speaker, I therefore desire to withdraw the amendments which I have offered, and now offer the following amendments to section one.

On the question recurring,

Will the House agree to the section?

Mr. COHEN and HERMAN offered the following amendment:

> Amend Sec. 1, page 1, line 4, by inserting after the words "forty-four" the following: "The abolition of such tax system shall not be construed to authorize any city of the first class to levy any such tax under the provisions of any existing law."

On the question,

Will the House agree to the amendment?

Mr. COHEN. Mr. Speaker, it was not my intention in offering the first set of amendments to embarrass the budget makers of the little subdivisions, particularly the groups under discussion, the budget makers of the cities of the third class. We have had our troubles with budgets and I know what troubles budget makers must have, and I should not like to have them thrown into a tail spin by amendments of that kind. But these amendments affect a political subdivision which we have heard time and again from the Members on the other side is in a very fine financial condition, which does not levy such a tax, and such a tax does not form any part of their tax program. I have been assured by many Members on the other side that there is no intention that that political subdivision should levy such a tax. I am sure that if the people in that city who are affected by this tax are to be given a guarantee by us that they are to be given a tax reduction, then I don't see how any objection can be possibly raised because of these amendments, and I therefore urge that they be adopted.

Mr. WINNER. Mr. Speaker, I rise to oppose the amendments offered by the gentleman from Philadelphia, Mr. Cohen, for the same reason that I opposed the original amendments which Mr. Cohen offered, the fact that they tend to obstruct home rule in the city of Philadelphia. Mr. Cohen himself is not consistent in offering such amendments because only yesterday he spoke in behalf of home rule.

Mr. COHEN. I spoke yesterday, Mr. Speaker, on behalf of home rule and I think I can talk in behalf of home rule until my tongue and my lungs both give out. But we have to admit and bow our heads in shame, that we have not in Harrisburg ever given our political subdivisions home rule. The reason now for throwing the home rule issue into this controversy is the fact that I said in my original remarks in regard to this first set of amendments that this is a political grab. Mr. Speaker, it is not a ripper, this is a zipper. We are just zipping open the back and putting it right together again, to give the Republican machine of Philadelphia a lot of jobs. I have just had a lot of meetings with the Appropriations Committee and as a result of inquiries made there, I was told outside of that Committee, and I trust I am not divulging Committee secrets, that many of the department heads on Capitol Hill are complaining that they are having a heck of a time getting personnel and they cannot find people to do the work for them. I don't know where the Republican machine in Philadelphia is going to get its personnel, because the Secretary of Revenue tells me that they cannot get people to fill the jobs they have now. If that is true, if there is a manpower shortage, and the efforts of a lot of his people should be diverted to the war effort, if we are to honestly say today that the mercantile tax is to be abolished, which means wiped out, which means off the books, which means that we are through with it, which means that we ought not to bother about it anymore, then, Mr. Speaker, we ought to be honest with the mechants of Pennsylvania and tell them that when the next year rolls around they won't have to sit around waiting for the Republican City Council of Philadelphia to levy another tax upon them, because I am afraid the money would go down the same rat-hole that so many hundreds of millions of dollars have gone down before.

I said again and again that we have a good situation in Philadelphia. It is true that we imposed taxes upon people who were least able to pay them, but at least we have money in the bank. If we are going to abolish the tax because it is not a proper tax, then let us abolish it, if we can.

Mr. LEVY. Mr. Speaker, I sympathize with the gentleman from Montgomery. I sympathize with the gentleman from Lehigh County. I sympathize with them because they are on the wrong side of the question. The gentleman from Montgomery said on debate on the first amendments offered by the gentleman from Philadelphia, "We cannot take them because they will throw the budgets of the third class cities out of line."

When the Majority Leader of the House was pressed with the question as to where and how and when mercantile taxes were assessed in Pennsylvania, and was asked the question whether mercantile taxes can be assessed and corporate net income tax cannot be assessed, then the point of order was raised to save the situation. I tell you honestly this afternoon that you are not going to save your face. I am for House Bill 1056, because it abolishes a tax. Sometimes I doubt whether this tax might not be logically another tax, a tax that would affect probably the small people of Pennsylvania. However, I say that I am for House Bill 1056 because it does affect a small group of Pennsylvania businessmen. This afternon I have seen the show of how the majority is cringing on the subject of taxation. Now, I know they do not believe in House Bill 1056. It is only a program to get rid of Democratic employes and replace them with Republicans, and by their silence, by the fact that they cannot answer the questions propounded by the gentleman from Philadelphia, it makes it very evident that what they want to do by House Bill 1056 is to abolish the tax as far as Democratic office holders are concerned and give the same authority to an office where a Republican can put more Republican politicians in.

I say, gentlemen, that is the charge and you cannot deny it and I defy you to deny it, from the Majority Leader to the newest neophyte on the Republican side. I am going to tell you something further which you may not like. House Bill 1056 not only takes a crack at Democratic officials in the state of Pennsylvania in order to get what you could not get through the people of Pennsylvania, but it is a slap—

POINT OF ORDER

Mr. HARE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Somerset will state his point of order.

Mr. HARE. Mr. Speaker, we on this side are getting tired of the gentleman straying, like cattle, far afield, and I feel that he is not talking on the amendments.

The SPEAKER. The Chair has ruled that the gentleman shall confine himself to the question before the House. The Chair insists that the gentleman from Philadelphia confine his remarks to the amendments to Section 1. The gentleman will proceed.

Mr. LEVY. Mr. Speaker, at the very start of this session I raised the same point of order and the Speaker ruled then that he encourages debate—

The SPEAKER. The Chair now insists that the gentleman confine his remarks strictly to the question before the House, which is on the amendments to Section 1 of this bill.

Mr. LEV. Mr. Speaker, I say this afternoon—

The SPEAKER. The Chair would like to read for the information of the Members of the House a part of Rule 4:

> "On questions of order there shall be no debate except on appeal from the decision of the Speaker or on reference of the question to him by the House."

Mr. McKINNEY. Mr. Speaker—

The SPEAKER. Will the gentleman from Philadelphia yield to the gentleman from Venango?

Mr. LEVY. I will, Mr. Speaker.

Mr. McKINNEY. Mr. Speaker, I now move the previous question.

The SPEAKER. The Chair requests the gentleman to kindly refrain from making that motion now. The gentleman from Philadelphia has yielded the floor to the gentleman from Venango, but not to move the previous question, and the Chair suggests that the gentleman from Venango permit him to continue for a limited time.

Mr. McKINNEY. Mr. Speaker, I will withdraw the motion temporarily.

The SPEAKER. The Chair thanks the gentleman from Venango.

Mr. LEVY. Mr. Speaker, I regret that the majority party takes the position it does. I don't know, Mr. Speaker, why on one day we are permitted to speak—

POINT OF ORDER

Mr. BRETHERICK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. BRETHERICK. Mr. Speaker, the gentleman is not talking on the amendments.

The SPEAKER. The gentleman is not speaking on the amendments. The Chair would ask the gentleman from Philadelphia, Mr. Levy, to confine his remarks to the question before the House. The gentleman from Philadelphia is imposing upon the patience of the Members. Will the gentleman kindly confine his remarks to the subject before the House?

Mr. LEVY. Mr. Speaker, I will continue my remarks when this bill is on the third reading calendar. I thank you.

Mr. COHEN. Mr. Speaker, in the interest of order throughout the calling of the roll, and so that there shall not be a repetition of what occurred on previous roll-calls in this House, I request that the Speaker direct the Sergeant-at-Arms to close the doors of the House.

The SPEAKER. The Chair is of the opinion that the request is in opposition to the Constitution of the Commonwealth.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. Cohen and Mr. Modell and were as follows:

YEAS—60

Baker,
Barrett,
Bentley,
Bentzel,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Coleman,
Corrigan,
Cullen,
Dillon,
Duffy,
Elliott,
Goodwin,
Grant,
Green,
Hamilton,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Neill,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Regan,
Reynolds,
Scanlon,
Schuster,
Skale,
Snider,
Swope,
Tate,
Thompson,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

NAYS—96

Alspach,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Dix,
Elder,
Ely,
Erb,
Figlock,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Gates,
Goodling,
Gorman,
Greenwood,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hocke,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Irvin,
James,
Kennedy,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Leydic,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Smith,
Sorg,
Stonier,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the Section?

It was agreed to.

The second, third, fourth, fifth and sixth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Messrs. COHEN and HERMAN offered the following amendment:

Amend Title, page 1, line 1 of title, by inserting after the word "System" the following: "prohibiting the levy of such tax by cities of the first class".

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House agree to the title?

It was agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 722, entitled:

An Act to amend section one of the act approved the eighth day of July one thousand nine hundred and nineteen (P. L. 782) entitled "An act providing that clerks assisting the registers of wills in the collection of inheritance taxes in counties having a population of less than one million five hundred thousand inhabitants shall be appointed and their compensation fixed by the Auditor General and prescribing the method of their payment and that of other expenses incident to the collection of said taxes" by providing that the Secretary of Revenue shall appoint and fix the compensation of clerks assisting the register of wills in the collection of inheritance taxes in counties other than the first and second class and requiring the approval of the Secretary of Revenue to pay the compensation from such taxes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 723, entitled:

An Act to amend sections one two and three of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 727) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' authorizing the Auditor General to appoint investigators and appraisers and providing for their compensation" by giving the Secretary of Revenue complete supervision of appraisements in estates of resident decedents and the power to adopt rules and regulations by conferring upon the Secretary of Revenue the power to employ necessary investigators and appraisers for the enforcement of the transfer inheritance tax laws and to fix the compensation of permanent appraisers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 751, entitled:

An Act to amend section twelve and to further amend section fourteen and to amend sections fifteen eighteen twenty-two twenty-three twenty-six twenty-nine thirty-one thirty-six forty and forty-two of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by providing for certification to the Secretary of Revenue as to the necessity for the appointment of expert appraisers or those possessed of technical knowledge and for the approval by the Secretary of Revenue of the appointment of such expert appraisers and of the statements rendered by them for compensation and for the monthly transmittal by the Secretary of Revenue of the returns of such appraisers and the recording by him thereof vesting in the Secretary of Revenue the powers of the register of wills in certain cases requiring duplicate tax receipts and the bond and monthly return to be sent to the Secretary of Revenue prohibiting transfer of stock without certificate from the Secretary of Revenue and penalty for violation providing for refunds for erroneous inheritance tax payments on proof of the Secretary of Revenue and for dismissal by the Secretary of Revenue of appraisers for accepting fees or rewards vesting in the Secretary of Revenue the power to appoint and fix the compensation of additional appraisers or experts employed for appraisal purposes and for their payment and providing further for the collection by the Secretary of Revenue of all inheritance taxes due the Commonwealth from nonresident decedents and making monthly reports thereon to the State Treasurer

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 768, entitled:

An Act to amend sections four hundred seven and one thousand two hundred and one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make return or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" to further reorganize the Departments of Revenue and of the Auditor General in such manner as to vest in the Department of Revenue the appointment the fixing of the compensation and the approval of the expense accounts and supervision of clerks investigators appraisers expert appraisers permanent appraisers and other employes necessary to enable the registers of wills of the several counties to collect transfer inheritance taxes vesting in the Secretary of Revenue the power to credit the commissions and other expenses and costs of certain accounting officers in the collection of the transfer inheritance tax

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

BILL NOT ON FILE

The SPEAKER. House Bill No. 373, Printer's No. 141, on page 32 of today's calendar, bill on final passage recalled from the Governor is not on file and will be passed over.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 844, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commsisions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that under war time conditions the Department of Property and Supplies may make certain purchases and may authorize any department board or commission to make certain purchases without advertising or competitive bidding further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans and specifications therefor relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings and authorizing departments boards and commissions to make certain purchases of repair parts to contract for public utility services to rent machinery and equipment to employ labor on a temporary basis under certain conditions to subscribe to certain publications and to take memberships in certain organizations and societies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the

Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-firt day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended by adding at the end thereof two new paragraphs to read as follows

Section 507 Purchases

* * * *

Whenever a state of war exists between the United States and any other nation or nations and brings about commercial conditions which make it impossible because of continually changing prices to obtain contracts for the furnishing of commodities supplies and equipment necessary for the proper functioning of the departments boards or commissions the Department of Property and Supplies is hereby empowered to purchase and to authorize in writing any department board or commission to purchase within reasonable limits in any locality in the open market at the lowest and most advantageous prices commodities supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids when commercial conditions are such that make it impossible to secure competitive bids until such times as the state of war shall cease and normal market conditions shall be restored

Notwithstanding any of the foregoing provisions of this section any department board or commission may

(1) Purchase repairs or repair parts for its equipment from the manufacturer of such equipment or from the manufacturer's authorized dealer

(2) Contract for services of the public utility companies

(3) Rent machinery and other equipment and devices

(4) Employ professional or skilled labor on a temporary basis in instances where the Department of Property and Supplies does not have an applicable contract but all such employment shall be approved by the Governor except in the case of a State institution when it shall be approved by the head of the department having supervision over the institution

(5) Subscribe to periodicals magazines or newspapers or purchase books or take memberships in independent organizations or societies having related functions but all such memberships shall be approved by the Governor

Section 2 Subsections (a) (c) and (d) of section five hundred eight of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) are hereby further amended to read as follows

Section 508 Erection Repairs or Alterations of and Additions to Buildings (a) No administrative department except the Department of Property and Supplies and no administrative board or commission shall except as in this act otherwise specifically provided erect or construct or contract for the erection or construction of any new building or make or contract for making any alterations or additions to an existing building involving an expenditure of more than four thousand dollars ($4,000) and in any case in which any other department or any board or commission is by this act authorized to erect or construct buildings or make alterations or additions [such erection or construction shall be under the complete supervision and shall be the responsibility of the Department of Property and Supplies] involving an expenditure of less than four thousand dollars ($4,000) such erection or construction may be generally supervised by the Department of Property and Supplies

(c) All plans and specifications for new buildings and for alterations or additions to existing buildings involving an expenditure of more than four thousand dollars ($4,000) shall be subject to the approval of the Department of Property and Supplies and in addition thereto shall also be subject to the approval of the department board or commission using or intending to use the building being erected or constructed or to which an alteration or addition is being made with respect to the type and general character of the proposed building the floor layouts radiation natural light artificial illumination ventilation medical equipment or other equipment of a nature peculiar to the building for which the plans and specifications are being prepared In the case of buildings used by or for the use of departmental administrative boards or commissions the plans and specifications shall also be approved with respect to the above mentioned matters by the department with which the board or commission is connected

(d) Buildings may be erected or constructed or alterations or additions made wholly or partially by the labor of employes or inmates or patients of State institutions if in the judgment of the agency responsible for the managemnet of such institutions [and of the Department of Property and Supplies] the work can be properly and safely done by such employes inmates or patients In [such] cases involving an expenditure of more than four thousand dollars ($4,000) the Department of Property and Supplies or outside supervising engineer or engineering concern as it may approve shall have full and direct responsibility for the management of the work and the department board or commission using or intending to use the building shall have complete charge of such employes inmates or patients

Section 3 Clause (k) of section two thousand four hundred two of said act as added to said section by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) and as relettered (1) by the act approved the twenty-first day of July one thousand nine hundred forty-one (P. L. 429) is hereby amended to read as follows

Section 2402 Grounds Buildings and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

* * * * *

(1) To establish standards for [and supervise generally the operation of] all mechanical and electrical equipment used in connection with the operation of any State institution or other State building

Section 4 Section two thousand four hundred three of said act as last amended by the act approved the twenty-first day of June one thousand nine hundred thirty-seven (P. L. 1865) is hereby further amended by adding at the end thereof a new paragraph to read as follows

Section 2403 Standards and Purchases

* * * *

Whenever a state of war exists between the United States and any other nation or nations and brings about commercial conditions which make it impossible because of continually changing prices to obtain contracts for the furnishing of commodities supplies and equipment necessary for the proper functioning of the departments boards or commissions the Department of Property and Supplies is hereby empowered to purchase and to authorize in writing any department board or commission to purchase within reasonable limits in any locality in the open market at the lowest and most advantageous prices commodities supplies and equipment necessary for the proper operation of the State Government without advertising or inviting bids for the same when commercial conditions are such that make it impossible to secure competitive bids until such times as the state of war shall cease and normal market conditions shall be restored

Section 5 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Lovett, Modell and Cohen asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—101

Alspach,
Auker,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Cadwalader,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Dix,
Elder,
Ely,
Erb,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hocke,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Irvin,
James,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Serrill,
Smith,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—54

Baker,
Barrett,
Bentley,
Bentzel,
Boory,
Brigerman,
Brunner, C. H.,
Brunner, P. A.,
Chervenak,
Cohen,
Corrigan,
Cullen,
Duffy,
Elliott,
Goodwin,
Green,
Haberlen,
Hamilton,
Heatherington,
Herman,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
Petrosky,
Pettit,
Polaski,
Powers,
Regan,
Reynolds,
Scanlon,
Schuster,
Swope,
Tate,
Thompson,
Trent,
Verona,
Weiss,
Welsh,
Wood, L. H.,
Wright,
Yester,

Less than a majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 535, as follows:

An Act to amend Sections 1 2 3 5 7 and 9 to further amend Sections 4 6 8 and 10 of and to add Sections 2.1 2.2 and 7.1 to the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" by defining further words and terms used herein further regulating the sale of commodities authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act and granting additional powers to inspectors of weights and measures

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one and two of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (P. L. 965) entitled "An act defining commodities regulating the sale thereof and providing penalties for violation hereof" are hereby amended to read as follows

Section 1 Be it enacted &c That the word "commodity" as used in this act shall [be taken to] mean any goods wares merchandise compound mixture or preparation products of manufacture or any tangible personal property which may be lawfully kept sold or offered for sale

The words "liquid commodity" as used in this act shall mean anything fluid or in the liquid state and not mixed with solids and except any alcoholic spirituous vinous malt or brewed beverage

The words "dry commodity" as used in this act shall mean any other commodity sold or offered for sale not in liquid or fluid state at the time of sale

The words "liquid measure" as used in this act shall mean the standard United States gallon of 231 cubic inches or binary sub-multiple thereof quart pint or gill

The words "dry measure" as used in this act shall mean the standard United States bushel of 2150.42 cubic inches or submultiple thereof peck quart or pint

The word "weight" as used in this act shall mean the United States standard avoirdupois pound or ounce

The word "package" as used in this act shall mean everything containing more than one or more than one unit of any commodity tied or bound together or put up in box bag pack bundle container bottle jar can or any other form of receptacle or vessel not considered as an approved measure except cases cartons crates bundles or bales used for bulk shipping or storage Provided That enclosed packages are marked as to weight measure or numerical count

The word "department" as used in this act shall mean the Department of Internal Affairs

The word "person" as used in this act shall be construed to include any individual firm partnership unincorporated association corporation association agent representative or employe thereof

Section 2 (1) All liquid commodities when sold in bulk or from bulk shall be sold by weight or liquid measure All dry commodities when sold in bulk or from bulk shall be sold by weight dry measure or numerical count unless otherwise designated to be sold in a special manner No dry commodities shall be sold by liquid measure [dry commodities in car load lots may be sold by weight]

(2) All meat and meat products poultry and poultry products except eggs shall be sold by weight only eggs may be sold by numerical count

(3) Wood used for fuel shall be sold by the cord or fraction thereof and accompanied by a statement or invoice certifying the amount sold

Section 2 Said act is hereby amended by adding after section two two new sections to read as follows

Section 2.1 All commodities not considered as packages within the meaning of the act or labeled as to net contents at the time of sale shall be counted measured or weighed in full view of the purchaser at the time of sale and on weighing or measuring devices as approved by the department and inspected as to accuracy by the several state county and city inspectors of weights and measures and statement of result of such count measure or weight to be made to the purchaser by the person making the sale

Section 2.2 Any dry commodity sold in bulk must be accompanied by a statement of weight

Section 3 Section three of said act is hereby amended to read as follows

Section 3 [It shall be unlawful to use a measure without a bottom in selling any commodity] If commodities are sold by dry or liquid measure only measures as approved by provisions of the act approved the fifth day of May one thousand nine hundred and twenty-one (P. L. 389) entitled "An act to regulate and control the manufacture sale offering for sale giving away and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania providing for the approval and disapproval of such weights measures and devices by the Bureau of Standards and prescribing penalties" shall be used

Section 4 Section four of said act as amended by the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1259) is hereby further amended to read as follows

Section 4 [It shall be unlawful in] No person selling any commodity [to] shall use any measure unless the same shall have thereon marked in a conspicuous place and in distinct letter and figures the capacity thereof If such measure be of the capacity of one-half bushel or less it shall be marked in terms of dry measure or of one-half gallon or less it shall be marked in terms of [dry or] liquid measure [respectively] If the measure be of the capacity of over one-half bushel it shall be marked in the terms of a bushel or over one-half gallon it shall be marked in terms of a [bushel or] gallon [respectively] "liquid measure" Provided That containers bottles or jars used for the sale of milk [or] cream [shall be regarded] or any other commodity and considered as measures within the meaning of this act and shall be in all respects subject to all rules and regulations heretofore or hereafter made by the Department of Internal Affairs as to reasonable variations and tolerances

Section 5 Section five of said act is hereby amended to read as follows

Section 5 [It shall be unlawful for any person firm or corporation with intent to defraud

(1) To] No person shall sell or offer for sale any commodity [on the container of which is marked any false statement respecting the kind number quantity weight or measure of such commodity or of any part thereof or respecting the place or country where such commodity was manufactured or produced or respecting the quality or grade of such commodity] in any other manner than by weight measure or numerical count

[(2) To orally or otherwise represent that any commodity offered for sale in bulk to which no name or trade mark shall be attached is the manufacture or production of some other than the actual manufacturer or producer Provided That nothing in this act is to be construed as applying to drugs medicines chemicals or pharmaceutical or proprietary preparations used as medicine nor to toilet preparations]

Section 6 Section six of said act as last amended by the act approved the eighth day of May one thousand nine hundred and thirty-one (P. L. 105) is hereby further amended to read as follows

Section 6 Whenever any commodity named in this section shall be sold by the bushel and free from any foreign matter the bushel [shall consist of the number of pounds herein stated and wherever sold in the subdivisions of the bushel the number of pounds] of such commodity shall consist of the [fractional part of the] respective number of pounds [as are] herein set forth [for the bushel] namely

Alfalfa seed sixty pounds
Apples forty-five pounds
Apples dried twenty-five pounds
Barley forty-eight pounds
Beans dried sixty pounds
Beans castor (shelled) forty-six pounds
Beets fifty-six pounds
Blue-grass seed fourteen pounds
Bran twenty pounds
Broom-corn seed fifty pounds
Buckweat forty-eight pounds
Cabbage fifty pounds
Carrots fifty pounds
Cement one hundred pounds
Charcoal twenty pounds
Cherries with stems fifty-six pounds
Cherries stemmed sixty-four pounds
Chestnuts hulled fifty pounds
Clover-seed sixty pounds
Coal anthracite seventy-five pounds
Coal bituminous eighty pounds
Coal stone eighty pounds
Coke forty pounds
Corn shelled fifty-six pounds
Corn ear (husked) seventy pounds
Corn-meal fifty pounds
Cranberries thirty-two pounds
Cucumbers forty-eight pounds
Currants forty pounds
Flaxseed fifty-six pounds
Gooseberries forty pounds
Grapes forty-eight pounds
Hair (plastering) eighty pounds
Hemp-seed forty-four pounds
Herd's-grass forty-five pounds
Hickorynuts fifty pounds
Hominy sixty pounds
Horseradish fifty pounds
Hungarian grass seed fifty pounds
Kaffir corn fifty-six pounds
Lentils sixty pounds
Lime eighty pounds
Linseed fifty-six pounds
Malt thirty-eight pounds
Millet fifty pounds
Oats thirty-two pounds
Onions fifty pounds
Onion sets twenty-eight pounds
Orchard grass seed fourteen pounds
Parsnips fifty pounds
Peaches forty-eight pounds
Peaches dried (pealed) thirty-eight pounds
Peaches dried (unpealed) thirty-three pounds
Peanuts twenty-two pounds
Pears fifty pounds
Peas green (unshelled) twenty-eight pounds
Peas dried sixty pounds
Plums sixty-four pounds
Potatoes sixty pounds
Potatoes sweet fifty-four pounds
Quinces forty-eight pounds
Rape-seed fifty pounds
Raspberries forty-eight pounds
Redtop grass seed fourteen pounds
Rice rough forty-five pounds
Rutabagas sixty pounds
Rye fifty-six pounds
Ryemeal fifty pounds
Salt (coarse) eighty-five pounds
Salt (ground) sixty-two pounds
Sand one hundred pounds
Shorts twenty pounds
Sorghun-seed fifty pounds
Spelt forty pounds
Spinach twelve pounds
Strawberries forty-eight pounds
Timothy-grass seed forty-five pounds
Tomatoes fifty-six pounds
Turnips fifty-six pounds
Walnuts (common) fifty pounds
Wheat sixty pounds

Provided That when any fruits or vegetables named in this section are sold in Pennsylvania [standard] approved containers which are the original [packages] unbroken containers and are filled in accordance with good commercial practices and free from any foreign matter such fruits and vegetables shall be exempt from the provision of this section

Section 7 Section seven of said act is hereby amended to read as follows

Section 7 [If] No person shall distribute or sell or have in his possession with intent to distribute or sell any commodity in package form unless the net quantity of the contents shall be plainly and conspicuously marked on the outside of the package in terms of weight measure or numerical count Provided however That [reasonable variations shall be permitted and] tolerances at the rate of one-eighth of an ounce per pound of the net content marked thereon shall be allowed and [also exemptions as to small packages shall be established by rules and regulations made by the Chief of the Pennsylvania Bureau of Standards] exempt from marking as to net content contained shall be

(1) All packages sold as liquid commodities containing less than one ounce liquid measure

(2) All packages sold as dry commodities containing less than one ounce avoirdupois

(3) All packages selling for five cents or less

Section 8 Said act is hereby amended by adding thereto after section seven a new section to read as follows

Section 7.1 The Secretary of Internal Affairs shall have power to adopt and promulgate such rules and regulations not inconsistent with the provisions of this act as may be deemed necessary to carry into effect the intent and purpose of this act

Section 9 Section eight of said act as amended by the act approved nineteenth day of May one thousand nine hundred and twenty-three (P. L. 278) is hereby further amended to read as follows

Section 8 [Each] Any person [firm or corporation that] who shall violate any of the provisions of this act shall [be guilty of a misdemeanor and] upon summary conviction thereof before any alderman magistrate or justice of the peace of the proper county be sentenced for the first offense [shall be fined not] to pay a fine of not less than twenty-five dollars ($25.00) or more than [twenty-five dollars upon conviction] fifty dollars ($50.00) and costs of prosecution and in default of payment thereof shall undergo imprisonment for ten (10) days and for the second offense [such person firm or corporation shall] be [fined] sentenced to pay a fine of not less than [twenty-five dollars nor] fifty dollars ($50.00) or more than one hundred dollars and costs of prosecution and in default of payment thereof shall undergo imprisonment for twenty (20) days and [upon conviction] for the third [and each subsequent] offense [such person firm or corporation] shall be [fined] sentenced to pay a fine of not less than one hundred dollars [nor] or more than two hundred [and fifty] dollars ($200.00) and costs of prosecution and in default thereof shall undergo imprisonment for thirty (30) days and for a fourth or subsequent offense shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than two hundred dollars ($200.00) or more than three hundred dollars ($300.00) or suffer imprisonment for not more than six months or both All fines collected under the provisions of this act shall be paid to the treasurer of the respective city or county in which the offense was committed

Section 10 Section nine of said act is hereby amended to read as follows

Section 9 It shall be the duty of the proper [city and county] inspectors of weights and measures to enforce the provisions of this act who may examine commodities sold or offered for sale and test or inspect them for correct weight measure or count Without formal warrant they may enter any place of business or stop any vendor peddler dealer or other person selling or offering commodities for sale for the purpose of ascretaining whether the provisions of this act have been complied with Said State city or county inspectors may seize for use as evidence and hold until final disposition by the court any commodity package or other article sold or offered for sale contrary to the provisions of this act No retailer shall be prosecuted for having in his possession or offering for sale any article of merchandise which he has purchased in good faith for resale and which is packed in sealed unbroken and undamaged original packages or containers because of a shortage in weight which exceeds the maximum tolerance provided herein except such articles of merchandise which have been packed or packaged by said retailer Said inspectors may mark as condemned any article commodity or package which does not comply with the provisions of this act and said commodity shall not be sold or offered for sale until it has been relabeled to comply with the provisions of this act and the condemnation seal removed by the inspector or properly authorized person who originally marked it condemned

Section 11 Section ten of said act as amended by the act approved the seventh day of June one thousand nine hundred and fifteen (P. L. 886) is hereby further amended to read as follows

Section 10 This act shall go into effect the first day of [January one thousand nine hundred and fourteen] June one thousand nine hundred and forty-three [Provided however That no penalty shall be enforced for any violation of its provisions as to domestic products prepared or foreign products imported prior to eighteen months after its passage and further that this act shall not apply to the marking of the net quantity of the contents on containers or packages handled sold or offered for sale by wholesalers jobbers or commission merchants]

On the question,

Shall the bill pass finally?

Mr. JAMES. Mr. Speaker, this bill is designed to keep a lot of people honest and therefore the sponsor feels that he should start the bill off with a good example of honesty.

During the process of amending this bill a printer's error has been made. On page two, the last line, the printer failed to strike out two words. Those words are "more than" where they first occur.

I ask unanimous consent of the House to act upon the bill as it now stands with the understanding of course that these strike-out brackets will be inserted when the bill goes to the Senate.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely.
Erb,
Figlock,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Irvin,
James,
Kennedy,
Kirley,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF INFORMATION

Mr. COHEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. COHEN. Mr. Speaker, certain amendments were offered by myself to section one of House Bill 1056, Printer's No. 383, on page twenty-seven of the calendar. Those amendments were voted down. I had an agreement which I neglected to carry out because of the swiftness of the movement of the House when I presided during first reading bills. The gentleman from Philadelphia, Mr. Herman, co-sponsored those amendments and I was wondering whether or not it would be in order to have the record so marked.

The SPEAKER. Will the House give its unanimous consent to have the name of the gentleman from Philadelphia, Mr. Herman, added to the amendments as co-sponsor? The Chair hears no objection and consent is granted.

BILL ON FINAL PASSAGE

BILL NOT ON FILE

The SPEAKER. House Bill No. 703, Printer's No. 403, on page 34 of today's calendar, bill on final passage is not on file and will be passed over.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection House Bill No. 120, Printer's No. 314, was passed over at the request of Mr. LICHTENWALTER.

There being no objection House Bill No. 832, Printer's No. 321, was passed over at the request of Mr. READINGER.

There being no objection House Bill No. 575, Printer's No. 326, was passed over at the request of Mr. CHARLES H. BRUNNER, Jr.

There being no objection Senate Bill No. 67, Printer's No. 173, was passed over at the request of Mr. FLEMING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 56, as follows:

An Act authorizing the Department of Highways and counties cities boroughs towns and townships to adopt and take over as public roads and highways certain highways taken over located extended or constructed by the Federal Government or any agency thereof in the exercise of the war power and providing the procedure therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the Federal Government or any agency thereof has in the exercise of the war power taken over any existing public highway and has or has not relocated the same in whole or in part and has or has not constructed an extension thereof to a point not theretofore reached by a public highway or has constructed or caused to be constructed a highway where no highway theretofore existed the Department of Highways may with the consent in writing of the Federal Government or such agency adopt and take over such highway as a State highway and shall thereafter maintain and reconstruct such highway in the same manner with like power and authority as provided by the laws of the Commonwealth applicable to State highways

In any case where it shall appear that the Department of Highways does not desire to adopt and take over any such highway as a State highway the same may be adopted and taken over in like manner as a public road or highway by ordinance of the corporate authorities of any city borough town or township of the first class or by resolution of the corporate authorities of any county or any township of the second class in which the same is located which road or highway shall thereafter be maintained and reconstructed by the unit of government making the adoption in the same manner with like power and authority as provided by law with respect to highways under its jurisdiction Before the unit of government shall adopt such ordinance or resolution it shall ascertain the desire of the Department of Highways and the ordinance or resolution in order to be valid and effective shall state that the Department of Highways has expressed its desire in writing not to adopt and take over such highway as a State highway Any such statement in the ordinance or resolution shall be conclusive

Section 2 Where on any such highway so authorized to be adopted and taken over the facilities of any public utility were constructed across such highway at grade or above or below grade or at the same or different levels or the highway was constructed across the facilities of any public utility in either event without prior order of the Pennsylvania Public Utility Commission the adoption procedure shall not be deemed to have been completed until an order has been first obtained from said Commission under and in accordance with the Public Utility Law Approve such crossing or which shall determine and prescribe the points at which and the manner in which such crossing shall be constructed altered relocated or abolished or the manner and conditions in or under which the crossing shall be maintained operated and protected to effectuate the prevention of accidents and the promotion of the safety of the public

Section 3 Whenever a road or highway is adopted and taken over under the provisions of this act the Department of Highways or unit of government adopting the same as a public road or highway shall cause a description and plan thereof to be made showing the center line of the road or highway and the established width thereof as fixed at the time when the same was established as a highway in the exercise of the war power and shall cause such description and plan to be acknowledged by the officer or agent of the department or unit of government making such description and plan Thereupon such description plan and acknowledgment shall be recorded in the office of the Recorder of Deeds of the county in which the road or highway is located in the book in which descriptions of highways are recorded The Department of Highways or unit of Government shall also enter such description and plan on any general plan of its highways roads streets and alleys which it is required by law to maintain

Section 4 Any highway adopted and taken over under the provisions of this act shall thereafter be a public road or highway as fully to all intents and purposes as though the same had been laid out opened and constructed under and in accordance with the laws of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boles,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Figlock,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Lane,
Laughner,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
Reynolds,
Riley,
Robertson,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,

Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Calvin,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Irvin,
James,
Kennedy,
Kirley,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Smith,
Snider,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 625, as follows:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) entitled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" by authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads bridges and viaducts wholly on State Armory properties and State Military Reservations and on the grounds of the Soldiers' and Sailors' Home of Erie Pennsylvania and The Pennsylvania State College

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) entitled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" is hereby amended to read as follows

Section 1 Be it enacted &c That the Department of Highways of the Commonwealth with the approval of the Governor may build rebuild construct and maintain that portion of any or all roads running through or over the lands of any charitable penal or educational institution including The Pennsylvania State College or State parks or State Armory properties or State Military Reservations of the Commonwealth and on the grounds of the Soldiers' and Sailors' Home at Erie Pennsylvania wholly within or upon such lands and may build rebuild construct and maintain bridges and viaducts on State Armory properties or State Military Reservations and on the grounds of the Soldiers' and Sailors' Home at Erie Pennsylvania The cost and expense of the building rebuilding construction and maintenance of the roads bridges and viaducts herein provided for shall be paid out of any moneys appropriated to the Department of Highways for the construction reconstruction or maintenance of State highways

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Irvin,
James,
Kennedy,
Kirley,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, R. E.,
Reese, D. P.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 778, as follows:

An Act to further amend subsection (k) of section eight hundred twenty-three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" amplifying the provisions relating to the display of official certificates of inspection by motor vehicle trailer or semi-trailer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (k) of section eight hundred twenty-three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as added to said section by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) and as amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 823 Official Inspections

* * * * *

(k) No vehicle required to obtain a certificate of inspection under the provisions of [subsection] subsections (d) and (j) of this section shall be operated without prominently displaying such certificate as may be directed by the secretary in addition to any other certificate now or hereafter required by law on any of the highways of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boles,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Irvin,
James,
Kennedy,
Kirley,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 922, as follows:

An Act to add Clause XLVII to section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" authorizing the townships of the first class to make appropriations to Veterans' Home Associations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand five hundred two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended by adding after Clause XLVI a new clause to read as follows

Section 1502 The corporate power of a township of the first class shall be vested in the board of township commissioners The board shall have power

* * * *

XLVII Appropriations to Veterans' Home Assocations To annually appropriate a sum not exceeding three hundred dollars for the support of any Veterans' Home Association which provides a home or club-house within the township for the use of United States War Veterans and which is not maintained in whole or in part by the United States or any governmental agency other than the township

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—178

Alspach,
Auker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Figlock,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Irvin,
James,
Kennedy,
Kirley,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Baker,
Brigerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 20, as follows:

An Act to amend sections three thousand seven hundred nineteen four thousand four hundred one and four thousand four hundred two of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by extending civil service provisions to include certain park guards

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three thousand seven hundred nineteen four thousand four hundred one and four thousand four hundred two of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" are hereby amended to read as follows

Section 3719 Appointment of Park Guards The Council of every city shall have power under the provisions of this article and in accordance with the provisions of article forty-four to provide by ordinance for the selection and employment of such number of persons as they deem necessary to act as park guards fix their compensation and duties and provide for their uniforming

Section 4401 Examinations Required of All Appointees No person or persons may be appointed to any position whatever in the police department or in the position of park guard or in the engineering or electrical department or in the position of building inspector or to any salaried position whatever in the fire department (except volunteer departments) or health officers other than registered physicians or as sanitary policemen or inspectors of the health department without having first passed all the examinations hereinafter provided for and having been appointed in the manner and according to the terms and provisions and conditions of this article Provided however That all persons appointed as park guards prior to the adoption of the "Selective Training and Service Act of 1940" (September 16 1940) and holding such appointments at the time this act becomes effective shall retain their positions without being required to pass examinations and may be removed only in accordance with the provisions of this article And provided further That the provisions of this section shall not apply to any person appointed as a park guard only temporarily to fill a vacancy created by the enlistment or induction of a park guard into the armed service of the United States

Section 4402 Appointment of Examining Boards There shall be the following civil service boards in each city (a) A board for the examination of applicants for appointment to any position in the police department or as park guard (b) a board for the examination of applicants for appointment to any salaried position in the fire department (except volunteer departments) or health officers other than registered physicians or as sanitary policemen or inspectors of the health department (c) a board for the examination of applicants for appointment to any position in the engineering or electrical departments or to the position of building inspector

Each of said board shall consist of three citizens who shall be elected by council for terms of four years or until their successors are elected and qualified One of the members of the boards provided for in clauses (a) and (b) of this section shall be an educator and one shall be a physician Any person may be appointed to one or more of said boards

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—179

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Figlock,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Laughner,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
Reynolds,
Riley,
Robertson,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sorg,

Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Calvin,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Greenwood,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Irvin,
James,
Kennedy,
Kirley,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Stank,
Stockham,
Stonier,
Swope,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—1

Freed,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 1003, Printer's No. 292, was passed over at the request of Mr. LEYDIC.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 750, as follows:

An Act to further amend subsection (a) of section twenty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities on non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by providing for the filing of petitions for the enforcement of payment of legacies charged upon real estate by executors administrators cum testamento annexo and administrators de bonis non cum testamento annexo

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section twenty-five of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation of ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by the act approved the fourteenth day of April one thousand nine hundred thirty-one (P. L. 32) is hereby further amended to read as follows

Section 25 (a) 1 In all cases in which by the provisions of any last will and testament or by the provisions of this act or by proceedings in the orphans' court in any county any legacy or any money payable at a future period or any money the interest on which is payable to any person is or shall be hereafter charged upon or payable out of real estate it shall be lawful for the legatee or the person entitled to such money or interest or the executor of the last will and testament of any decedent or the administrator cum testamento annexo or the administrator de bonis nom cum testamento annexo of the said last will and testament to apply by petition to the orphans' court having jurisdiction of the accounts of the fiduciary On the presentation of such petition the court having caused due notice to be given to such fiduciary and the divisee or heir as the case may be and the present owner of the real estate charged with such legacy sum of money or interest and to such persons interested in the estate or property as justice may require may proceed according to equity to make a decree directing such devisee heir or owner to pay the amount of such legacy sum of money or interest then due within a time to be limited by such decree and providing that in case such devisee heir or owner shall fail to make payment within such time the fiduciary or a trustee to be appointed by said court in its discretion shall after giving public notice of such sale once a week for a period of three weeks before the day appointed therefor by advertisement in at least one newspaper published in the county if there be one or if there be none then in an adjoining county and by handbills posted at a conspicuous place on the real estate proposed to be sold and in at least three of the most public places in the vicinity of such estate make sale of said real estate or so much thereof as may be necessary for the purpose of payment of such legacy sum of money or interest The proceeds of such sale shall be distributed under the direction of said court as in other cases of judicial sales to the persons legally entitled to receive the same In the case of money charged upon real estate the interest on which is payable to any person the court may instead of directing a sale of such real estate as aforesaid make such decree or order to enforce payment of said interest as shall be just and proper

2 The orphans' courts of the several counties of this Commonwealth in all cases where under the provisions of this section such courts have power to order the sale of real estate may authorize or direct a private sale if in the opinion of the court under all the circumstances a better price can be obtained at private than at public sale as where the interest shall be undivided or for any other sufficient cause

3 Before authorizing or directing any private sale of real estate public notice thereof shall be given by advertisement printed in at least one newspaper published in the county where such real estate is situated once a week for a period of three weeks prior to the date fixed by such order for authorizing or directing such sale and also written or printed notices one of which shall be posted at a conspicuous place on the real estate proposed to be sold and at least three of which shall be posted at three of the most public places in the vicinity of such real estate and before authorizing or directing such sale the court shall require proof by affidavit to be filed in the proceedings that notice as aforesaid has been given Such notice shall specify the location and description of the real estate proposed to be sold the name of the proposed purchaser and the price agreed to be paid

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—180

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Erb,
Figlock,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hewitt,
Hocke,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Lane,
Laughner,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
Owens,
Petrosky,
O'Brien,
Reynolds,
Riley,
Robertson,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Hunter, W. M.,
Huntley,
Irvin,
James,
Kennedy,
Kirley,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
O'Dare,
O'Neill,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS NOT ON FILE

The SPEAKER. House Bill No. 368, Printer's No. 313.

House Bill No. 836, Printer's No. 404.

House Bill No. 521, Printer's No. 405.

House Bill No. 273, Printer's No. 402.

on page 39 of today's calendar, bills on third reading are not on file and will be passed over.

TIME EXTENDED ON BILL

Mr. YESTER. Mr. Speaker, I move that the time on House Bill No. 709, Printer's No. 224, entitled:

An Act authorizing the secretary of the board of health in the various cities of the third class throughout the Commonwealth during the continuation of the present war and for six months thereafter to search and issue certified copies of birth and death records maintained by such cities after the State-wide system for registering vital statistics was established requiring that such birth and death records be made availalbe to the secretary of the board of health for the purposes of this act and authorizing the respective city councils to prescribe fees for such services

on page 40 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

HOUSE BILLS MADE SPECIAL ORDER

Mr. WALTER E. ROSE. Mr. Speaker, I move that House Bills Nos. 544, Printer's No. 379; House Bill No. 545, Printer's No. 340; House Bill No. 546, Printer's No. 380; House Bill No. 547, Printer's No. 366; House Bill No. 548, Printer's No. 339 and House Bill No. 1056, Printer's No. 383 on pages 25, 26, and 27, of today's calendar, be made a special order of business on third reading and final passage on Monday, April 12, 1943, at 9:30 p. m.

The motion was agreed to.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 130.

An Act to amend section two hundred thirteen of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by prohibiting the sale of or offering for sale of bait-fish or fishbait taken from the waters of this Commonwealth when not artificially propagated and sold pursuant to an artificial propagation license granted by the board

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

CONGRATULATORY RESOLUTION

Messrs. O'BRIEN and TIEMANN offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, April 8, 1943.

The marines will land in Philadelphia on Saturday of this week, and will have not only the situation but the entire city "well in hand."

In this case, the marines will be exemplified and impersonated by that No. 1 Marine, and World War Hero No. 1, Sergeant Albert A. Schmidt of Philadelphia.

Sergeant Schmidt will be the first person to receive the war-time Inquirer Hero Award of one thousand dollars, and the specially designed medal that accompanies it. The award will be presented at ceremonies arranged for Saturday, starting with a parade which will terminate at Reyburn Plaza at 12:30 o'clock P. M.

Jeeps, peeps, scout cars and other mechanical units will roll along with the infantry detachments and marching units of the Marine Corps, Navy, WAVES and SPARS who will form the procession following Sergeant Schmidt, the hero of Guadalcanal.

The award will be presented by General William G. Price, chairman of the Inquirer Hero Award Committee. Sitting on the platform with the marine hero, in addition to his wife, will be several of his Guadalcanal buddies, who are now patients at the United States Naval Hospital.

The principal address will be made by Judge Vincent A. Carroll after the program has been opened by Mr. Kloman and Mayor Samuel. Another address will be made by Brigadier General Clifton B. Cates, Sergeant Schmidt's commanding officer on Guadalcanal, who will make a special trip to this city from Quantico, Virginia, to attend the ceremonies.

These ceremonies and the award constitute a most fitting tribute to the youngman whose courage and bravery have not only reflected credit upon the Commonwealth, but have been an inspiration and an incentive to thousands of youngmen throughout the Nation; therefore be it

Resolved, That the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania hereby congratulates Pennsylvania's hero of Guadacanal not only upon the bravery he displayed in battle, but upon the results that must arise from his example to the great benefit of our war effort; and that the example he has set of willingness to sacrifice, coolness in action, and dauntless courage will for all times be an inspiration to every one in the armed forces of the Nation; and be it further

Resolved, That a copy of this resolution shall be forwarded by the Chief Clerk of the House to Sergeant Albert A. Schmidt at his home in Philadelphia.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

The Speaker for Mr. HOGGARD for the remainder of the week, because of illness in the family.

ADJOURNMENT

Mr. DIX. Mr. Speaker, I move that this House do now adjourn until Monday, April 12, 1943, at 9 p. m.

The motion was agreed to, and (at 3:34 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., MONDAY, APRIL 12, 1943. No. 40.

SENATE

MONDAY, APRIL 12, 1943.

The Senate met at 4:00 o'clock p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the gentleman from Berks, Dr. RUTH.

Almighty God, our Heavenly Father, we thank Thee for the services we have been able to render to our people over the past week-end. We thank Thee for the opportunity to render service to our people during the early part of this week. We pray for Thy Spirit to guide us in true co-operation and in the type of loving which Thou didst exhibit on the Cross of Cavalry.

We ask it in the name of Him who has taught us to pray:

Our Father, Who art in Heaven, hallowed be Thy name, Thy kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread and forgive us our debts as we are willing to forgive our debtors; and lead us not into temptation but deliver us from evil, and Thine shall be the kingdom and the power and the glory forever. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. EDMONDS the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. TAYLOR, on account of illness.

He also asked and obtain leave of absence for Mr. ZIESENHEIM.

Mr. McGinnis asked and obtained leave of absence for Mr. LANIUS.

Mr. STIEFEL asked and obtained leave of absence for himself for Tuesday, April 13, 1943.

PERMISSION TO ADDRESS THE SENATE

Mr. WOODWARD asked and obtained unanimous consent to address the Senate.

Mr. WOODWARD, Mr. President, concerning leaves of absence, I feel it is my duty to correct a mis-statement made in the Philadelphia Record, by Mr. O'Neill, I think it was, who had my name advertised as one of the absentees.

I was absent, but I would like for the sake of the record to say this, that my absenteeism was caused by the death of the wife of my brother, and I had to leave here on Tuesday to attend the funeral on Wednesday. Therefore, it is hardly fair to advertise me as an absentee.

The PRESIDENT. I am sure he will be glad to correct that.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1943

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution convening a joint session of the General Assembly on Wednesday, April 14, 1943, for the purpose of commemorating the Bicentennial of the Birth of Thomas Jefferson on April 13, 1943, and requesting the Governor to issue a proclamation regarding the celebration.

EDWARD MARTIN

NOMINATIONS BY THE GOVERNOR

He also presented communications in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBER OF THE BOARD OF TRUSTEES OF FARVIEW STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Stratford, Forest City, Susquehanna County, for appointment as a member of the Board of Trustees of Farview State Hospital, for the term of four years, and until his successor is qualified, to fill a vacancy.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 20, entitled:

To amend section three thousand seven hundred nineteen, four thousand four hundred one, and four thousand four hundred two of the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "Third Class City Law," by extending civil service provisions to include park guards.

Which was committed to the Committee on Municipal Government.

House Bill No. 56, entitled:

An Act authorizing the Department of Highways and counties, cities, boroughs, towns and townships to adopt and take over as public roads and highways, certain highways taken over, located, extended or constructed by the Federal Government or any agency thereof in the exercise of the war power; and providing the procedure therefor.

Which was committed to the Committee on Highways.

House Bill No. 535, entitled:

An Act to amend Sections 1, 2, 3, 5, 7 and 9, to further amend Sections 4, 6, 8 and 10 of, and to add Sections 2.1, 2.2 and 7.1 to, the act, approved the twenty-fourth day of July, one thousand nine hundred and thirteen (P. L. 965), entitled "Commodities Weight and Measure Law," by defining further, words and terms used herein; further regulating the sale of commodities; authorizing the Secretary of Internal Affairs to adopt rules and regulations to carry into effect the provisions of the act; and granting additional powers to inspectors of weights and measures.

Which was committed to the Committee on State Government.

House Bill No. 625, entitled:

An Act to amend section one of the act, approved the sixth day of May, one thousand nine hundred twenty-seven (P. L. 843), entitled "An act authorizing the Department of Highways, with the approval of the Governor, to build, rebuild, construct, and maintain roads wholly upon the lands of State institutions and State parks, and providing for the payment of the cost thereof," by authorizing the Department of Highways, with the approval of the Governor, to build, rebuild, construct and maintain roads, bridges and viaducts wholly on State Armory properties and State Military Reservations and on the grounds of the Soldiers' and Sailors' Home of Erie, Pennsylvania.

Which was committed to the Committee on Highways.

House Bill No. 750, entitled:

An Act to further amend subsection (a) of section twenty-five of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "Fiduciaries Act of 1917," by providing for the filing of petitions for the enforcement of payment of legacies charged upon real estate by executors, administrators cum testamente annexo and administrators de bonis non cum testamento annexo.

Which was committed to the Committee on Judiciary General.

House Bill No. 778, entitled:

An Act to further amend subsection (k) of section eight hundred twenty-three of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," amplifying the provisions relating to the display of official certificates of inspection by motor vehicle, trailer or semi-trailer.

Which was committed to the Committee on Highways.

House Bill No. 922, entitled:

An Act to add Clause XLVII to section one thousand five hundred two of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-one (P. L. 1206), entitled "First Class Township Law," authorizing the townships of the first class to make appropriations to Veterans' Home Associations.

Which was committed to the Committee on County Government.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor, John C. Bell Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 193, entitled:

An Act to amend Section six hundred fifty-one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "The Penal Code," premitting persons under the age of eighteen years to be present in bowling alleys.

House Bill No. 487, entitled:

An Act to amend section three of the act approved the third day of May one thousand nine hundred and nine (P. L. 413) entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus" by providing for granting of warrants and rights to certain additional lands.

House Bill No. 551, entitled:

An Act to amend section four of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2821) entitled "An act to regulate the sale and advertising for sale of goods wares and mechandise purporting to be an insurance bankruptcy mortgage insolvent assignees receivers trustees removal or closing-out sale or sale of goods damaged by fire smoke or water in cities and certain boroughs of this Commonwealth and to prevent fraudulent practices in connection therewith and providing penalty for the violation thereof and for the imposition of license fees for permission to conduct the same" by forbidding the continuation of the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale.

House Bill No. 694, entitled:

An Act to amend sections one, five, seven, nine and twelve, and to repeal section six of the act, approved the twenty-seventh day of May, one thousand nine hundred and thirty-seven (P. L. 901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers, and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties," by changing definitions, the period of the license and the fee therefor, and the contents of records; eliminating the requirement for a bond, and adding to the reasons for refusing licenses.

House Bill No. 695, entitled:

An Act to repeal the act, approved the twenty-third day of June, one thousand eight hundred ninety-seven (P. L. 202), entitled "Cheese Law."

House Bill No. 697, entitled:

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 650), entitled "An act requiring persons, associations, partnerships, and corporations, and their agents, herein, defined as dealers and brokers, engaging in the business of buying, receiving, selling, exchanging, negotiating, or soliciting the sale, resale, exchange, or transfer of certain domestic animals, to be licensed by the Department of Agriculture; providing for the revocation of such licenses; imposing certain duties on such dealers and brokers, and their agents; conferring powers on said department; and providing penalties," by changing the definition of "dealer."

Whereupon,

The PRESIDENT. (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, last Thursday, speaking in this Chamber, I told the Senate that, starting with the Session of April 12th, today, I would call for the full observance of the rules of the Senate which carry out the provisions of Article III, Section Four of the Constitution, providing that every bill before us be read at length on three successive days.

I particularly want to call the attention of the gentlemen of the press to the fact that I am not conducting a "filibuster"—rather I am asking that the provisions of the Constitution be observed.

Today I press my insistence, because I believe it is time the people of Pennsylvania, through action in this Chamber, learned what has been taking place in their Capitol.

The Majority Party and the Majority leadership has relied upon the fog of war to obscure its invasions of the peoples' rights and its shoddy political trickery. It has relied upon the natural concern of our people with the great events now taking place all around the world to provide it with a cloak of silence and obscurity. With the stealth of hypocrites the Majority Party came here with fine protestations about its desire for a harmonious, nonpolitical session. Piously, you spoke of your desire to win the war of your hopes to further national unity.

Those were fair promises, only you didn't mean them.

You are not concerned with winning the war against the foreign enemies of the United States, you are too busy fighting a war against the Democratic Party in Pennsylvania, a Party you hate, because it champions the people of this State. You are not here to contribute to unity. You are here to create discord, to stir up party bitterness, to grab patronage, to pass sneak ripper bills, to disfranchise Pennsylvania voters.

You are here to pay off debts, to serve the men who own you, to dip your hands into the pockets of the people of Pennsylvania to help the utilities and the oil gang and the manufacturers' association, the people who finance your Party and buy elections for you.

You are here to hold Committee meetings in a telephone booth and to put bills out on this Senate's floor without even a moment's consideration by the Senators whom the people trust to study and to scrutinize legislation.

You are here, for instance, to install an insurance man as head of the Insurance Committee, to make sure that the bills the Chairman releases are bills which serve the companies, not the policy holders.

To prove what I have said is true, I quote the words of the Senator from Allegheny County, Mr. Geltz, who told me in this Chamber last Thursday:

"We have the House, we have the Senate, we have the Governor, and we have the Courts, and we will pass any bill we want."

In other words, "the people be damned."

I want to tell Mr. Geltz and the rest of you Senators on the Majority side that we Democratic Senators, numerical minority as we are, are here by the votes of 1,588,372 people in Pennsylvania. You Republicans are here by the votes of only 6,000 more people than we represent.

That is how successful you have been in gerrymandering this State and, if yqou doubt my figures just take out your Pennsylvania Manual and your Legislative Journal and add the votes cast for Senator in the two party columns in the two elections which have sent us to this Body.

If any Senator is too busy to do that, I have the figures right here.

Now you are trying to do the same thing to the Congressional delegation from Pennsylvania.

You cannot win elections as you please. You cannot even buy them all. So, you are resorting to legislative juggling to bring you election victories you can not get by any other means.

You want to divide this State on the "rotten boroughs system, as it once existed in England, and you want to govern our country with men who do not represent the people of the nation.

You come into Pittsburgh, you come into Allegheny County, and you skip up and down and across the map. You span rivers and you delete adjoining wards, and the only rule you follow is to isolate, to separate, to discriminate against the Democratic voters and the Democratic areas.

You segregate the Democratic voters of Pittsburgh and you pull them in from across the Monongahela Riiver, and across the Allegheny River, and you create a district which contains every heavily.

You forget all about the disproportions in Luzerne County and in the central county districts wherein you make two Luzerne County voters equal one rural Pennsylvania voter. You are not trying to reapportion the State honestly, you do not dare to, because you do not believe in, nor do you trust, democracy and the people.

Oh, no gentlemen of the Senate, you of the majority are too busy carving up Allegheny County so that the Democratic majority of that county is dissipated through crowding it together in one unnatural district. This bill, Members of the Senate, creates one district in Allegheny County with 105,000 registered Democratic voters and 49,000 Republican voters. It cancels out the votes of that overwhelming Democratic majority, so that they do not apply, as they should, to the general representation of the county in Congress.

You are enacting a jim-crow law for the Democrats of Allegheny County, so that you may create preserves where the Republican minority of the county may exist pure and lily-white, and send Republicans to Congress who do not, under any application of democracy, deserve to be in Congress.

You are setting up a system under which a 75,000 Democratic majority in Allegheny County will elect only two of the county's five Congressmen. That is a travesty on democracy. It is a mockery of everything we are fighting this war to preserve.

You know whose amendments these are. They are sponsored by the Senator from Allegheny, Mr. Walker, whose present solicitude for the Republican Party is passing strange, because only two months ago, John M. Walker was not so positive in his political affiliations. Perhaps when his political aspirations are stacked against party principle his affiliations become flexible. I believe the gentleman knows what I am talking about without further elaboration.

Now, he is playing the dirty game of the young Republicans in Allegheny County, those young Republicans with old ideas of power, money, and jobs.

Those so-called young Republicans, most of them between forty and fifty, are perennial candidates for office in Allegheny County, and every time they stick up their heads, they get them chopped off.

They go into the Republican primary and see what they can get from the Republicans voters. Usually they get set down. Ask the Republican County Chairman and the Attorney General of the Commonwealth what kind of people they are.

If they are nominated, the general electorate takes great pleasure in defeating them, as it did their candidate for Mayor and their candidates for Congress. This bill has been drawn to the measure of those defeated candidates whom the people have rejected. Its only purpose is to return to Congress two men who so conducted themselves in that body that the people of their districts rejected them because they were men who submerged their patriotism to their pacifism, their love for their country to their hatred for its President.

We have a country dedicated to the principle of majority rule. I subscribe to that.

We have another sacred principle: that is, the protection of minorities in all their rights as American citizens. I subscribe to that also.

The day this Senate uses its power—like a Hitler Reichstag—to take away from the people of Pennsylvania the right to elect Congressmen who represent the peoples' will, we strike a treacherous, an assassin's blow, at the Amercan system of representative government, of democracy as an expression of the people's will.

That must not be done by the Senate of Pennsylvania. When it is attempted, I believe it is the right, the sacred obligation, of Senators to use every weapon at their command to arrest the blow, to stop such action.

That I intend to do and I know many men in this Senate, even on the Republican side, who agree with me.

This is an issue of paramount importance. It is the kind of issue which determines the success or failure of democracy.

We live under a government of laws and this Senate operates under the Constitution of Pennsylvania and its own rules. Those laws, that Constitution, these rules, were written for the protection of minorities. I invoke them today and I will continue to invoke them until this vicious, this contemptible, sneaking, cowardly and corrupt attack upon the people of Allegheny County and the people of Pennsylvania is killed in this Senate Chamber.

My friends on the majority side, and I have been happy to enjoy the friendship of many of you, have come to me and told me that my stand would cost their affection, that it would make me unpopular, very unpopular in the Senate.

I am sorry about that, but I do not intend to waive principle for friendship's sake.

This is a fight for the people.

I am going to fight with every weapon that the law allows.

General Eisenhower and General Montgomery, and the armies they lead, are undoubtedly unpopular with Erwin Rommel, but they are not letting that stop them from fighting for the cause they know is right.

And those men across the seas are fighting for a principle which is being mocked and derided in the Senate, the principle of fair play, of even-handed justice, of democracy in action.

Their war, their sacrifice, is being used as a "curtain of concealing smoke" for the political conspiracies of this Legislatve Session.

It is time that the Republican majority in this Senate stopped hiding behind the war, where better men than we are go into daily battle to preserve the things some Senators would destroy.

I, as one Senator, will do everything within my power to pull you of the majority side out into the open where the people can get a look at you and pass upon your works.

And this fight is just beginning.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I want to say to the distinguished gentleman from Allegheny, Senator Barr, and to the gentleman who wrote his speech, that I appreciate it very much, and I do think that very commendable effort is worthy of more careful study and consideration. It appears to me at first blush to be a Democratic political speech, and I separate "Democrat" from "Democracy" because I want to announce to the gentleman from Allegheny that perhaps directly this congressional reapportionment bill, which is the subject matter that he is attacking is not of serious moment to General MacArthur or the other fellows who are fighting the war. You might say offhand, perhaps, this will not assist in winning the war. On the other hand, at the proper time, I propose to discuss the merits of this bill and the merits of having few Republicans in Congress and whether or not that will help win the war.

The gentleman from Allegheny, Senator Barr, has discussed my motive, my political history, the political shortcomings of those I am associated with, but very carefully he has not as yet discussed the merits of this bill. In due course that will come and when that time comes I shall be very happy to cross verbal swords with the gentleman from Allegheny, Senator Barr.

He has suggested that he is going to use every statesmanlike trick or lure at his commond to delay, hinder or stop the passage of Senate Bill No. 272. May I say to the gentleman from Allegheny, Senator Barr, that is fine, I think he should, if he does not like the bill, do everything in his power to defeat it, and my love and affection for the gentleman has not been lessened one iota, regardless of what he said both on and off the floor, or what he shall say from now untl sine die adjournment of this session.

There is one thing I would like to read into the record, Mr. President, because I think the gentleman from Allegheny should make this the subject of round two of his discussion of this bill, Senate Bill No. 272.

It is an editorial and it is taken from the Post Gazette, which I would like to read to him. The Post Gazette is a newspaper published in the city of Pittsburgh:

"Without going into all the details of the proposed Congressional re-apportionment plan which last week almost turned the staid state Senate into a Donnybrook Fair, we should like to trace the history of re-apportionment in a single Allegheny County District—the old, and the proposed new, Thirtieth.

"In 1941 and prior to that time, this district consisted of the Pittsburgh wards, boroughs and townships north of the Allegheny and Ohio rivers. By and large it was a Republican district—except when Mr. Roosevelt was running. The residential boroughs and townships outweighed the lower Northside and industrial areas.

"By the makeshift agreement of the special session of 1942, the Democratic organization was permitted to recarve Allegheny County pretty much to its heart's content. And the Thirtieth district thereupon jumped across the Allegheny river and took in two more normally Democratic wards, the Sixth and the Ninth.

"Under the plan now before the Senate and backed by the Republican organization, the boundary not only skips back across the river, excluding the Sixth and the Ninth Wards, but also takes the usually Democraitc Twenty-second, Twenty-third and Twenty-fourth Wards of lower Northside out of the Thirtieth and puts them in with the already overwhelmingly Democratic Thirty-second Congressional District.

"Obviously the Democrats don't like that. But there's no need for them to get so indignant about it. They did the same thing when they had a chance, even to jumping a river. And of course Democratic State Chairman Lawrence's accusation that this re-apportionment plan is designed to oust Democrats who voted for the Roosevelt war program and replace them with "isolationists" is a blatant piece of demagoguery. As a matter of fact, the present Democratic Congressman from the Thirtieth District voted against the extension of the draft, one of the most important of the pre-war military measures.

"However, there are undoubtedly some inequities in the re-apportionment program before the state Senate, which a reasonable approach and a willingness to compromise could correct. The Republicans have the majorities in Harrisburg and will have the principal voice in re-dividing the state—and there's not the shadow of a doubt that it should be re-divided. But we think they would be willing, for the sake of harmony, to accept almost any fair amendment which the Democrats might propose.

"Certainly if the Democratic leaders persist in trying to intimidate the Senate and House Republican majorities with bitter reproaches and charges of "isolationism," the chances are excellent that the present plan will pass. Democratic policy would appear now to dictate the presentation of reasonable amendments, and a persuasive rather than a threatening tone in their part of the debate."

Mr. President, that concludes the reading of the editorial—which was not written by me—and I would like to say to the gentleman from Allegheny County, Senator Barr, that I hold no pride of authorship of that editorial; I merely say to him that he should take as food for thought some of the suggestions made therein.

MR. BARR. Mr. President, I think I can express myself in fewer words than my colleague from Allegheny, Senator Walker. I would like to read three lines from an editorial, which I did not write either—it happens to come from Scranton, about this congressional re-apportionment bill. It says this: "Insofar as Allegheny county is concerned the proposed redistricting goes beyond anything which might even remotely be branded as political decency. Steal is the word for it."

Mr. GELTZ. Mr. President, I suppose it would be expecting too much to expect a New Dealer to quote anyone properly and truthfully, but just so that we get the record clear, and that is the only reason I am making any answer to the statement of my good friend from Allegheny, Senator Barr, so that no one will misunderstand the situation and will not take my silence as an admission for his quote—I made no mention last Thursday of having any court, Supreme Court, or any other court.

I did make this statement and I am perfectly willing to have it of record, and make it again: I told the gentleman from Allegheny, Senator Barr, that I could not understand why he was so hot and bothered, that what we were doing with them was nothing to what they did to us last year, and that even at the time when we had a Republican Senate and a Republican Governor and they had but the Democratic House, we still did not squeal when they did it to us.

This year we have a Republican Governor, a Republican Senate and a Republican House, and I said to him no matter what we want to do, he could not stop it, but we could have stopped it if we had not been willing to agree last year.

Just to follow that out a little bit further and in connection with one of the parts of this editorial which Senator Walker read, Mr. President, referring to the Thirtieth Congressional District, which is the district in which I live, in the last election in that old and regular Congressional district, the Republican candidate had a majority of 2,500, and if the Democrats had not run wild in the last session, our district would now be represented, as it should be, by a Republican Congressman, but instead of that, as the editorial says, they either jumped, swam or got across the river in some way and took in two strip wards, the sixth and ninth, which are heavily Democratic, and which with those two wards, returned a majority of 6,000 for the Democratic nominee, so that the Republican nominee lost the election by 3,500.

This bill, Mr. President, restores that district, that one district, to a point a little more nearly where it should be, as I also said to the gentleman from Allegheny, Senator Barr, last week, and I want to repeat, you boys are certainly good at handing it out but you can not take it without squealing.

Mr. KEPHART. Mr. President, I think that the people of the Commonwealth of Pennsylvania ought to be informed as to what the purpose of the Senator from Allegheny, Mr. Barr, is and the result it will have on the work which we are doing here in Harrisburg.

It has been customary in the past, by consent, to have the first three readings of bills, because the bills are on the desks of every Senator, given in a cursory manner and not read at length, and the same is true on final passage of the bills.

At this time we have a Calendar consisting of twenty-two pages of titles of bills only; the bills themselves are at least one and a half-inches thick, and that is what the Senator from Allegheny County desires to be read at length—in other words, it will take a matter of a couple of days each day to read the bills on the present Calendar.

The gentleman from Allegheny, Senator Barr, says that he is protecting the people of the Commonwealth of Pennsylvania and that his method of attack is in favor of democracy. I disagree with him; I do not think it is democratic for him to insist on this requirement, because the result of it will be that the bills on the Calendar today will not get read and they will not get proper consideration; other bills that are in committee will not be reported out if there is not time to have them read at length, and the final result will be that on this bill on congressional reapportionment and the other bills, we will be intimidated into passing something just because the minority wants it and not because the majority wants it.

Democracy is a rule of the majority and not the minority, and the minority has no right to intimidate the majority in this Senate and in this Legislature by conduct such as this.

PERMISSION TO ADDRESS THE SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, since the last reapportionment bill has been brought into the picture, as a member of that Committee I think perhaps it might be fair to say to the gentleman from Allegheny, Mr. Walker, that what was done by the Committee that studied reapportionment all summer was done by mutual agreement. The Republicans were given the right to remove one Republican Congressman from whatever district they chose; the Democrats were given the same right. The Democrats choose to take one out of Allegheny County. At that time all the Congressman in Allegheny County were Democrats. They did not steal anything; they did not pull a fraud; they only lived up to their part of the agreement.

It was also understood that the parties in power, the two major parties, would nominate on the "at large" ticket a person for Congress from the district affected. The Democrats lived up to their part of the bargain and they nominated a person from Allegheny County. Whether the Republicans forgot their part of the bargain or not, they did not nominate a candidate for Congress from Allegheny County on the at large ticket, and they certainly can not now come here before the Senate and say that the Democrats deprived Allegheny County of its proper representation. I take it that an agreement between men, even Senators, is something to be lived up to.

Your party fell down on its part of the bargain. What you are doing now has nothing to do with what we did last year. We worked hard and tried to arrived at some conclusion. The fact that you were tied up by having a Democratic House and a Republican Senate is perhaps the reason we stayed all summer on the job, but I want to remind you Republican Senators now of this, you are starting something in Pennsylvania you will live to regret. You can not correct one evil by creating two evils. You know and everyone knows that the gerrymandering being done on this bill which you propose will not be left unanswered by the Democrats, if they do gain control of this State again, and at that time instead of the State of Pennsylvania getting what it deserves from the General Assembly in the way of legislation, you will have a General Assembly coming here with the primary purpose in mind of passing congressional reapportionment bills to strengthen their party lines in Congress.

The gentleman from Allegheny, Senator Walker, said that General MacArthur and the rest of the generals fighting with our boys overseas are not too much interested in this particular bill. Allow me to remind the gentleman from Allegheny that a seven vote majority exists in Congress between the policies of the so-called isolationist party and the party of preparedness. What little preparation there was before this war, was done because the leader of this nation, Franklin D. Roosevelt, and the Democratic majority had the foresight and the courage to put into effect acts that created some armament for our soldiers and created some army to contend with the enemy, and the seven votes you intend to steal would give a majority to that party that has primarily in its mind a hatred of Roosevelt, a hatred so deeply imbedded that even the conduct of the war takes second place, and so I say to the members of this Senate that this bill is important to General MacArthur, it is important to my brothers, your brothers, your sons and your fathers, if need be, that are in this army. It is important to them to see to it that the delegation from a county so strongly Democratic in its makeup of registration should be a Democratic delegation.

REPORTS FROM COMMITTEES

BILL RE-REFERRED

Mr. THOMAS, from the Committee on Mine and Mining reported as committed, Senate Bill No. 470, entitled:

An Act authorizing and creating an Anthracite Mine Subsidence Commission within the Department of Mines of the Commonwealth of Pennsylvania; defining its jurisdiction and powers, its duties to undertake studies and prepare such plan or plans as shall be deemed necessary to conserve anthracite; to prevent the loss of life both on the surface and underground; to prevent the destruction of property, both underground and on the surface, as a result of subsidences due to the removal of coal; providing for the common good of the people in the Anthracite Region and the Anthracite Industry; authorizing the commission to enter anthracite mines and the surface above such mines, and to designate locations for bore holes for flushing mines; providing for employes of said commission and their salaries; imposing duties upon the commission and making an appropriation.

Which was re-referred to the Committee on Appropriations.

Mr. KEPHART, from the Committee on Agriculture reported as amended, House Bill No. 390, entitled:

An Act to further amend section three and section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (Pamphlet Laws 522) entitled as amended, "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State, county, city, borough, town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by providing for the issuing of free licenses for seeing-eye dogs and by increasing the amount of certain payments to be made to the Commonwealth for damage caused by dogs or rabies.

Mr. DENT, from the Committee on Agriculture reported as committed, Senate Bill No. 539, entitled:

An Act to further amend section eight hundred one of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing; processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authoriziing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by requiring further hearings on proposed orders and eliminating the requirement of the Governor's approval for certain orders of the commission and any amendments or revisions thereof fixing or changing the price of milk.

BILLS INTRODUCED AND REFERRED

Mr. EDMONDS (By request of the Attorney General of Pennsylvania) read in his place and presented to the Chair Senate Bill No. 540, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Montgomery County, Pennsylvania, known as the United States Naval Air Station, Hatboro Willow Grove, Pennsylvania, and ceding jurisdiction to the United States.

Which was committed to the Committee on State Government.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 541, entitled:

An Act to further amend part of section one of the act approved the fourth day of June, one thousand nine hundred thirty-seven, P. L. 1625), entitled: "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the third class; and imposing certain charges on counties," further defining "County Employe" so as to include employes of prior poor districts other than county poor districts.

Which was committed to the Committee on County Government.

He also read in his place and presented to the Chair Senate Bill No. 542, entitled:

An Act to amend Route 40113 established by amendment to the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 543, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of the Nanticoke State Hospital at Nanticoke, Pennylvania.

Which was committed to the Committee on Appropriations.

Mr. CROWE read in his place and presented to the Chair Senate Bill No. 544, entitled:

An Act to amend section two hundred fifty-six of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," giving fish wardens, while in uniform, power to stop boats, vehicles and conveyances for search and investigation.

Which was committed to the Committee on Forests and Waters, Game and Fish.

Mr. WADE read in his place and presented to the Chair Senate Bill No. 545, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land, in Cumberland County, Pennsylvania, for a supply depot, known as the United States Naval Supply Depot, Mechanicsburg, Pennsylvania, and ceding jurisdiction to the United States.

Which was committed to the Committee on State Government.

Mr. JAMES read in his place and presented to the Chair Senate Bill No. 546, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and maintenance of the Delaware division of the Pennsylvania Canal.

Which was committed to the Committee on Appropriations.

Mr. WATKINS read in his place and presented to the Chair Senate Bill No. 547, entitled:

An Act making an appropriation for the expenses of the Committee of the Senate created by Senate Resolution Number three (Serial No. 66) adopted the twelfth day of July, one thousand nine hundred forty-one, to investigate rioting in Donaldson, Schuylkill County.

Which was committed to the Committee on Appropriations.

Mr. HOLLAND read in his place and presented to the Chair Senate Bill No. 548, entitled:

An Act declaring an emergency in agricultural production and making provision therefor during the continuance of the present war and for a period thereafter, by requiring the creation of agricultural districts and the pooling of all farm equipment, implements and machinery therein for the use of all persons engaged in raising farm produce in the district, and the establishment of repair stations therefor; and conferring powers and imposing duties on the Secretary of Agriculture and the Department of Agriculture.

Which was committed to the Committee on Agriculture.

He also read in his place and presented to the Chair Senate Bill No. 549, entitled:

An Act imposing certain requirements with reference to the study of American history in institutions of higher leaning. supported by, or receiving appropriations from the Commonwealth; authorizing the withholding of appropriations; and imposing duties on the Auditor General and on the Department of Public Instruction.

Which was committed to the Committee on Education.

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 550, entitled:

An Act to further amend sections three and four of the act, approved the thirteenth day of May, one thousand nine hundred twenty-seven (P. L. 988), entitled "An act providing for and regulating the State registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," by temporarily changing qualifications for registration.

Which was committed to the Committee on Education.

He also read in his place and presented to the Chair Senate Bill No. 551, entitled:

An Act authorizing the Department of Public Instruction with the approval of the Board of Trustees of the Kutztown State Teachers College to contract with the Borough of Kutztown for the right to connect the said college with the borough sewer system and the payment of a part of the cost of construction of such sewer system, and making an appropriation.

Which was committed to the Committee on Education.

Mr. COX read in his place and presented to the Chair Senate Bill No. 552, entitled:

An Act creating a joint legislative commission to be known as the Educational Survey Commission; prescribing its powers and duties; conferring upon the commission full power to issue subpoenas; and conferring upon the courts of common pleas power to enforce obedience to subpoenas so issued; imposing duties on departments and agencies of the State government and on colleges and universities; and making an appropriation.

Which was committed to the Committee on State Government.

Mr. McGINNIS read in his place and presented to the Chair Senate Bill No. 553, entitled:

An Act to further amend section three hundred nineteen of the act, approved the second day of June, one thouand nine hunded fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder: and prescribing penalties," by limiting employers' rights to subrogation in claims of their employes or latter's dependents against third persons in certain cases; and requiring employers upon request of employes to intervene in such actions and contribute to costs and expenses thereof.

Which was committed to the Committee on Workmen's Compensation.

TIME OF NEXT MEETING

Mr. LETZLER offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 12, 1943.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, April 19, 1943, at four o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, April 19, 1943, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 12, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to..

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Janis B. Dougherty, Pittsburgh, 2020 W. Liberty Ave.
Stephen G. Lang, Pittsburgh, Park Works, 30th and Smallman Sts.
Miss Helen M. Weinhold, Pittsburgh, 310 Jones Law Bldg., 4th and Ross Sts.

BUTLER COUNTY

Miss Elizabeth Evans, Butler.

CAMBRIA COUNTY

Miss Edith F. Foster, Johnstown.
Mrs. Aileen H. Michelbacher, Vintondale.

CENTRE COUNTY

L. Ward Hile, Bellefonte.

CLARION COUNTY

Mrs. Opal R. Shindledecker, Porter Twp., Climax.

FAYETTE COUNTY

Mrs. Jennie A. Radovich, Menallen Twp., P. O. Box 259, Fairbank.

LACKAWANNA COUNTY

Miss Mary McHale, Scranton.

LANCASTER COUNTY

Samuel E. Kinch, Denver.

LAWRENCE COUNTY

Miss Elizabeth Connelly, New Castle.
George T. Weingartner, New Castle.

LUZERNE COUNTY

Miss Helen Plisko, Wilkes-Barre.

McKEAN COUNTY

Fred B. Nicholas, Bradford.

MONTGOMERY COUNTY

Miss Eleanor F. Hartman, Hatboro.

PHILADELPHIA COUNTY

Miss Anna M. Corr, Phila., Room 810, 1600 Walnut St.
Lester C. Harris, Phila., 2010 Ridge Ave.
Miss Frances M. Roth. Phila., 4471 Salmon St.
Miss Marie C. Schambers, Phila., 2066 E. Allegheny Ave.

SCHUYLKILL COUNTY

Mrs. Laura M. Shoener, Orwigsburg.

WESTMORELAND COUNTY

Mrs. Sally Stein, Hempfield Twp., R. D. No. 1, Greensburg.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

SCHUYLKILL COUNTY

Miss Mary M. Boyle, Coaldale, April 19, 1943.

ALLEGHENY COUNTY

Jacob Mance, Pittsburgh, 3709 Butler St., April 23, 1943.
Miss Louise M. Rodgers, Pittsburgh, 3101 Liberty Ave., April 23, 1943.

BLAIR COUNTY

John H. Robertson, Duncansville, April 23, 1943.

LACKAWANNA COUNTY

Ernesto M. Lettieri, Scranton, April 23, 1943.

CAMBRIA COUNTY

Miss Rita H. Ruhe, Johnstown, April 24, 1943.

LACKAWANNA COUNTY

Thomas H. Davies, Olyphant, April 24, 1943.

MONTGOMERY COUNTY

Mrs. Ethel S. Mark, Norristown, April 24, 1943.
Oliver T. Watson, Hatboro, April 24, 1943.

PHILADEDPHIA COUNTY

David Fittingoff, Phila., 313 Lewis Tower, 15th and Locust Sts., April 24, 1943.
T. Edwin Harvey, Phila., The Parkway at Fairmount Ave., April 24, 1943.
Charles F. Larrisey, Phila., 2832 "A" Street, April 24, 1943.
Miss Eva Roberts, Phila., 1242 Lincoln Liberty Bldg., April 24, 1943.
Herman Toll. Phila., 501 P. S. F. S. Bldg., 12 South 12th St., April 24, 1943.

BEAVER COUNTY

D. M. Carver, Beaver, April 25, 1943.

DELAWARE COUNTY

Mrs. Frances Riddle, Media, April 25, 1943.

LEHIGH COUNTY

Mrs. Elizabeth E. Kehler, Allentown, April 25, 1943.

PHILADELPHIA COUNTY

Joseph W. McDowell, Phila., Kensington and Allegheny Aves., April 25, 1943.

Hugh F. Quinn, Phila., 1533 W. Columbia Ave., April 25, 1943.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. WATKINS and Mr. FARRELL,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nomination of His Excellency, the Governor of the Commonwealth of Pennsylvania, just taken from the table, which was read by the Clerk as follows:

Which was agreed to.

ASSOCIATE JUDGE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 7, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Van C. Decker, Nicholson, Wyoming County, for appointment as Associate Judge in and for the County of Wyoming, until the first Monday of January, 1944, vice William S. Crock, deceased.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. WATKINS and Mr. SCARLETT,

That the Senate do advise and consent to the nomination reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATKINS. Mr. President, I move that the Executive Session do now rise.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 272 CALLED UP

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 272, Printer's No. 226, on page 22 of today's Calendar, be called up out of order.

Mr. JAMES. Mr. President, I second the motion.

It was agreed to.

Mr. BARR. Mr. President, I insist that this bill be read at length.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 272, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 112, on concurrence in House amendments, entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of House Bill No. 388, as follows:

An Act to amend section four hundred and twenty A of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by giving minors of the age of eighteen years and upwards full power and authority to make contracts of insurance or annuity with any life insurance company authorized to do business in the Commonwealth of Pennsylvania and to exercise all the powers rights and privileges of ownership conferred on them under the terms of any and all such contracts applied for or issued to them with the same force and effect as if they were of age

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred and twenty A of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" which section was added to said act by section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 625) is hereby amended to read as follows

Section 420A Minors May Enter into Insurance or Annuity Contracts and Have Full Rights Powers and Privileges Thereunder That all minors in Pennsylvania of the age of eighteen years and upwards shall have full power and authority to make [all needful] contracts [to become members] of insurance or annuity with any life insurance company authorized to do business in the [State] Commonwealth of Pennsylvania either domestic or foreign and [shall have] to exercise all the powers rights and privileges of [ownerships] ownership conferred upon them under the terms of any and all such [life insurance annuity] contracts [or otherwise] applied for or issued to them and with full power to surrender assign [pledge or receive dividends or] modify pledge or change such contracts and to receive any dividends thereon and generally to have the full power and authority in the premises that persons twenty-one years and upwards could and would have relative to any and all such contracts

Section 2 This Act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I insist that this bill be read at length.

The PRESIDENT. For the information of the gentleman from Allegheny, House Bill No. 388 is on final passage. The record shows that this bill has been read at length on three different days and is now before the Senate on final passage.

Mr. HOLLAND. Mr. President, this bill gives the right to minors of eighteen years and upward full power and authority to make contracts of insurance and annuities with any life insurance company.

It seems strange that this Senate should be passing a bill recognizing that a boy or a girl of eighteen years has the power to enter into a contract when we have a bill now being held in committee giving the right to boys or girls of eighteen to vote.

I feel that it is inconsistent to pass a bill giving the right to one of eighteen years of age to enter into a contract, and at the same time, we reason that one who is eighteen years of age is old enough to fight for his country, but can not vote for his country.

I say it is very inconsistent, and it follows the lines emphasized here today, that you are more interested in serving special interests, to make profits for certain companies, then in protecting a boy or a girl to whom the government says, "You must fight and protect this democracy, but we, the government, will not permit you to take part in electing the officers who pass the laws and who tell you that you are old enough to fight."

This bill certainly shows the inconsistency of some members of this Senate, but, as usual, it does permit some company to make a little more money.

Mr. SHAPIRO. Mr. President, I am not going to talk long on this bill, because I am sure that it is going to pass, I am waiting for the day when a bill comes out of the Committee on Insurance which will be for the benefit of the policy holders.

May I just point out that this bill, giving a minor the right to make insurance contracts for life insurance, does not change the existing law which makes a minor unable to contract. I raise the question whether this changes the law that a minor will not be able to dispose of his assets by will. There are many things that a minor still can not do, and there are many things that this minor will not be able to do after he gets his policy of insurance. The only thing he will be able to do will be to take out a policy and pay the premiums. What he will be able to do afterwards is questionable, because there are still inhibitions against the right of a minor to make contracts, which are not cured by this bill.

However, this will give the insurance companies a great deal of business and it will give them a great many more premiums and it will do them a whole lot of good because they will make more money.

This bill ought to help policy holders but why a minor who has no dependents should make a contract of insurance is more than I can understand. My idea of insurance is that it is made for the benefit of dependents and persons who will have added responsibilities, that he wants to provide for after his death and he takes out a policy of insurance to insure against the catastrophe that he would die.

The eighteen year old boys who are going to war will be provided with insurance by the Federal Government. The amount of insurance that they will be permitted to take or that they can take will depend upon their income, but even if it were necessary, this bill does not correct the law, which is that minors generally can not make contracts and the things that flow as a result of making a contract for insurance, the rights, responsibilities and liabilities, are not protected in this bill.

Mr. WADE. Mr. President and gentlemen of the Senate, my colleagues who have spoken on this bill have gone rather far afield. This bill we have before us, House Bill No. 388, amends an amendment passed the twenty-second day of June, 1921, which in turn amended an act passed the seventeenth day of May, 1921, and corrects the amendment passed in 1931, as interpreted by the Attorney General's department, which has ruled that because of the wording it was questionable whether or not these young men and young ladies had the privilege of buying from stock companies as well as mutual companies—there are no doubt about their privilege of being able to buy from mutual companies—but this now makes it possible for all Pennsylvania life insurance companies to enter into contracts of insurance with minors aged eighteen and upwards.

Mr. President, if my memory serves me correctly, and I assure you, Mr. President, I looked it up, the gentleman from Philadelphia, Senator Shapiro, was a member of the Senate at that time and voted for this amendment that he now talks about. The amendment, may I say again, sets a precedent, and the gentlemen have gone far afield in talking about this bill and I hope that they will again assure me there are enough votes to pass this bill, because it is good legislation and should pass.

Mr. DENT. Mr. President, after listening to the explanation of the gentleman from Cumberland, Senator Wade, I may be wrong in my reading of this bill, because I thought perhaps this bill legalized contracts of minors between eighteen and twenty-one years of age. As I understand the insurance law now, they can have insurance policies, but when they reach the age of twenty-one they can be voided upon suit, they can sue and receive their full moneys paid in on the contract, without any charge for coverage during that three year period.

That is as I understand it, Mr. President. If I am wrong I am willing to be corrected.

I wish the gentleman from Cumberland would explain to me why I am wrong. Is it not true that a lad of eighteen can buy insurance, but until he is twenty-one years of age that policy can be set aside upon suit by his parents? Is it not true at the present time that he must have the signature or the approval of his parents?

If that is true, then this is a bad bill, because under the conception of family life that I was born and reared into, a son or a daughter belonged to the family until they were twenty-one years of age, or married before then and that the father should have some say and the mother should have some say over all the destinies of that lad or young lady until they are twenty-one years of age.

If this bill does not set aside that particular provision in this law I will vote for it, but if it does, I point out to you that it is a bad piece of legislation.

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Cumberland.

The PRESIDENT. Will the gentleman from Cumberland permit himself to be interrogated?

Mr. WADE. I will, Mr. President.

Mr. SHAPIRO. Under the law which this bill attempts to amend, Mr. President, was a minor permitted to buy an annuity?

Mr. WADE. Yes, Mr. President, as I understand it, an annuity from a mutual company.

Mr. SHAPIRO. Does it provide they can buy annuities which they could not buy before?

Mr. WADE. Mr. President, that depends entirely upon the interpretation of the present act passed on the twenty-second day of June, 1931.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Becker.
Bowers,
Carr,
Chapman
Coleman.
Cox.
Crider,
Crowe.
Deitrick.
DiSilvestro,
Ealy,
Edmonds.
Farrell.
Geltz,
Gourley,
Haluska.
Heyburn,
Homsher,
James,
Jones,
Kephart.
Letzler.
Mallery.
McCreesh,
McGinnis.
Ruth.
Scarlett.
Snowden,
Stevenson.
Tallman.
Thomas.
Tyler,
Wade,
Walker.
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—8

Barr,
Dent,
Holland,
Jaspan,
McQuiddy.
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 18, on third reading, entitled:

> An Act relating to parole; abolishing the Pennsylvania Board of Parole; reestablishing the jurisdiction, powers and duties of the courts and of the Board of Pardons with respect to parole; and authorizing the employment by the Attorney General of a Supervisor of Paroles and field agents

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 25, on third reading, entitled:

> An Act making an appropriation to the Monongahela Memorial Hospital Association of Monongahela City, Pennsylvania.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 71, entitled:

> A Joint Resolution proposing an amendment to section four, article two of the Constitution of the Common-

wealth of Pennsylvania, providing for annual sessions of the General Assembly, salary of members and an annual budget.

On the question,

Will the Senate agree to the bill on third reading?

Mr. WOODWARD. Mr. President, I ask unanimous consent to offer an amendment at this time, to correct a typographical error.

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows: Amend title, page 1, last line of title, by striking out the word "budget" and inserting in lieu thereof the words "general appropriations".

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 77, entitled:

An Act making an appropriation to the Water and Power Resources Board for the reconstruction of the dam near the village of Seelyville in Wayne County which was recently dynamited to eliminate a flood hazard and authorizing said board to undertake and complete the reconstruction of the aforesaid dam

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The amount of Fifteen Thousand Dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Water and Power Resources Board of the Commonwealth of Pennsylvania to be used for the purpose of rebuilding the dam in Wayne County near the village of Seelyville which was recently ordered by said board to be dynamited to eliminate a flood hazard and said board is hereby specifically authorized to undertake and complete the reconstruction of the aforesaid dam Provided however That no work shall be undertaken or expenditures made under the provisions of this act unless written authority is received from the owner of said dam to proceed with such work in accordance with plans and specifications which shall be submitted to said owner And provided further That upon completion of said work the Water and Power Resources Board shall be discharged of all responsibility for future maintenance and operation of said dam but the completion of said work shall not discharge the owner of said dam from the provisions of the act of June twenty-fifth one thousand nine hundred thirteen (P. L. 555)

Any purchases of real or personal property necessary in connection therewith shall be made in accordance with the provisions of the "Administrative Code of 1929" (P. L. 177)

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 131, on third reading, entitled:

An Act to amend section five of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act" eliminating the exception of armory buildings owned by the Commonwealth and under the supervision of the Armory Board from the provisions of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 177, on third reading, entitled:

An Act to amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (one thousand nine hundred thirty-seven, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for the payment of contributions by employers in accordance with an experience rating system; and providing for and regulating such experience rating system and the terms and procedure to effectuate the same.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 178, entitled:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" fixing the terms of the members of said commission providing for the filling of vacancies and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" is hereby amended to read as follows

Section 1 That a commission is hereby created which shall consist of ten members five of whom shall be appointed by the President Pro Tempore of the Senate and five shall be appointed by the Speaker of the House The commission shall be known as the "Local Government Commission" The term of each member of the commission shall run from the date of his respective appointment until the end of the next regular session of the General Assembly The terms of the present members of the commission shall expire at the end of the regular session of one thousand nine hundred and forty-three After the close of each regular session of the General Assembly the President Pro Tempore and the Speaker shall make the appointments authorized by this section Any vacancy happening in the membership of the commission shall be filled by the appointing power making the original appointment for the unexpired term The commission shall organize as soon as may be after the close of each regular session of the General Assembly at the call of the President Pro Tempore of the Senate by electing a chairman vice-chairman and a secretary The secretary need not be a member of the commission The members of the commission shall serve without compensation but shall be reimbursed for all necessary expenses incurred in the discharge of their duties

Section 2 The sum of ten thousand dollars ($10,000) together with the unexpended balance of the moneys appropriated for the two fiscal years ending May thirty-first one thousand nine hundred forty-one or so much thereof as may be necessary is hereby specifically appropriated and reappropriated to the Local Government Commission created by the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 244) for the two fiscal years beginning the first day of June one thousand nine hundred forty-three to continue the work of the commission and for the payment of the expenses of the members of the commission for the compensation and expenses of the secretary counsel and other appointees of the commission for printing postage supplies telephone telegraph and miscellaneous expenses and generally for the purpose of carrying into effect the provisions of said act

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Bowers,
Carr,
Ealy,
Edmonds,
Farrell,
Geltz,
Kephart,
Letzler,
Mallery,
McCreesh,
Stevenson,
Tallman,
Thomas,
Tyler,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stiefel,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 243, entitled:

An Act to further amend section eleven of the act approved the seventeenth day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violations of this act" by further regulating the rendition and advertisement of statements of moneys to the credit of the various funds in the State Treasury

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Scetion 1 Section eleven of the act approved the seventeenth day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violations of this act" as last amended by the act approved the twelfth day of June one thousand nine hundred thirty-nine (P. L. 330) is hereby further amended to read as follows

Section 11 The State Treasurer on the first business day of June September December and March shall render a statement of account to the Auditor General giving in detail the different sums which go to make up the grand total of the amount on that day in the State Treasury including moneys appropriated to the sinking fund Such statement shall include the names of banks banking institutions or trust companies with whom the public funds are deposited with the various amounts of such deposits and shall be verified by oath or affirmation of the State Treasurer and recorded in a book kept for that purpose in the Auditor General's office and such record shall be open for the inspection of the Governor heads of departments members of the Legislature or any citizen of the State desiring to inspect the same and shall be correctly published in not more than six newspapers one of which shall be published at Harrisburg to be selected by the [Auditor General] State Treasurer for general information payment of publication to be made from moneys in the State Treasury appropriated for this purpose

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, this is one of the most important pieces of legislation we have had in the Senate so far—of course that is not saying much for the rest of the legislation we have passed.

This bill transfers the right to issue advertisements on the accounts audited by the Auditor General from his hands to the hands of the Treasurer.

I hope that you will give it the consideration that this important piece of legislation merits—purely political, purely vindicative. The people elected this man to the office which he now holds and all of the powers that he has, of appointments, are piece meal being taken away from him. Even advertisements in the newspapers must be taken away from him.

The PRESIDENT. The Chair suggests that the Clerk read the bill and when the question has been put, the Chair will always give opportunity to Senators to debate or make remarks.

Mr. WOODWARD. Mr. President, for one Senator I am grateful to the gentleman from Allegheny, Senator Barr, for demanding that bills be read at length, because I have never heard this bill before and had never read it before—of course the reading clerk's voice is not perfect—but I gather that there is a transfer of patronage—the advertising in these newspapers—from the Auditor General to the Treasurer. I think the Democratic Party is safe because they are both Democrats.

Mr. BARR. Mr. President, early in the session this afternoon our great constitutional lawyer, Senator Kephart, turned around and was a little bit sad because I was going to use the Constitution and he said in doing so we would hold up progress of the Senate.

We have been here three months and the only bills which we have passed so far have been bills such as this and other bills paying off political debts. I do not know whose political debt this is. The man that introduced it said he had never read it before—he thanked me for having the bill read. I am happy now that he knows exactly what is in it.

Mr. DENT. The fact that this bill transfers patronage from one Democrat to another Democrat does not justify the bill. The man that was elected to the office of Auditor General was entitled to certain rights by that election, the people said when they elected him that he should administer the law governing that particular office; they did not say that he would be elected and that someone else would have the patronage.

The gentleman from Philadelphia, Senator Woodward, is not justified in his stand when he says that the Democratic Party is safe. I am not worrying about the Democratic Party being safe, I am worrying about the principles of democracy being safe. If a small majority in the Senate of Pennsylvania can take their election as a dictate from the people to juggle offices controlled by the minority in the State to their will and their wishes, I can easily see that the things and principles that Jefferson fought for and, I would say, gave his life for, I would say that they are not safe in the hands of the Republican majority in the Senate of Pennsylvania.

Mr. WOODWARD. Mr. President, I entirely agree with my colleagues on the other side. This is a very poor bill and I am very sorry I ever introduced it.

MOTION TO RECOMMIT

Mr. WOODWARD. Mr. President, in view of the expressed attitude of the sponsor of this bill, I move that the bill, Senate Bill No. 243, be recommitted to commiteee.

Mr. COX. I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HEYBURN. Mr. President, I would like to speak for one minute on the motion to recommit.

The PRESIDENT. Is there objection? The Chair hears none. The gentleman from Delaware may proceed.

Mr. HEYBURN. Mr. President, this bill was handed to Senator Woodward by me. Some very prominent Democrats in Pennsylvania brought this bill to me and they suggested that for the good of the party and the Commonwealth, this change should be made, and they asked me if I would see that the bill was introduced, which I did. The Republican leadership has nothing to do with this bill whatsoever.

Therefore, I ask my colleagues to vote "no" on the motion to recommit.

Mr. DENT. When the Republican Floor Leader of the Senate of Pennsylvania becomes solicitous for the welfare of the Democratic Party it behooves every Democrat to be suspicious of his motives.

Mr. SHAPIRO. Mr. President, I think it would be well for the gentleman from Delaware to tell the public and the members of the Senate who the Democratic leaders are that have influence sufficient to have the Republican Floor Leader introduce legislation. It would be helpful to the people, too. If there is any skullduggery in the Democratic Party, the minority who are here fighting for the public ought to know it; if we have any leaders who should not be leaders, we should know it, and I think it would be a good idea for the gentleman from Delaware to tell us who it was and why it is that they are so solicitous to transfer the power to place advertisements in the newspapers from the office of the Auditor General, whom the Republicans do not like, to the office of the State Treasurer, whom apparently they do like. Those are things the public ought to know. Vermin do not thrive in the light of day; they ought to be brought to the light of day.

And the question recurring,

Will the Senate agree to the motion to recommit?

(During the calling of the roll the following occurred.)

Mr. WOODWARD. Mr. President, I desire to be recorded as "present."

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

Mr. HOLLAND. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HOLLAND, and were as follows, viz:

YEAS—16

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Stiefel,
Woodring,

NAYS—29

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,

PRESENT—1

Woodward.

So the question was determined in the negative.

And the question recurring,

Shall the bill pass finally?

Mr. DENT. Mr. President, a short while ago we all listened to some very pertinent remarks concerning the rights of majorities. At no time in my short political career have I ever heard defended the right of a majority, because of their majority, to control the business of a minority.

It would be an interesting and probably a new phase of governmental control if the majority members of this Senate would tell the Democratic members why they take it upon themselves to pass legislation which they will admit is only passed because one particular member of the minority group does not like another member of the minority group.

You can easily understand what justice we in the minority can expect from the majority group of the Senate and the House of Pennsylvania, when they will take it upon themselves to fan a fire that is not of their making. We Democrats admit that we fight amongst each other. The only difference between the Republicans and the Democrats, as I see it, is that our fights are taken up by the majority and made a part of their fights, whereas their fights they keep in their party councils. They have an iron clad rule in their party that when a Caucus action is taken, no man breaks it, and when they give orders, no man is strong enough to defy their orders.

We Democrats who were probably blessed with more personal independence, even in the hey-day of the Democratic Party under Governor Earle, were never able to pass this type of legislation, because we felt that it was not the business of the majority to delve into minority intra-party struggles, and I do not believe the sponsor of this bill, whom I have always believed to be a sincere legislator—I have always talked to him on the basis of one Senator to another in relation to legislation upon the Calendar and I never knew that he would allow himself at his age to become the dupe for politicians.

Mr. President, you can pass this bill, but again I say to you, as I have earlier in the evening, you are setting up another precedent that you will rue some day. Remember that the people of this nation and particularly of this state are not so set in their political feelings as they were in years gone by when the promise of a full dinner pail and the threat of high tariffs kept the people who worked for a living and the persons who worked on the farms within the Republican party's lists of voters. There has been developed a new type of citizen in this state when it comes to elections, and what may be your hey-day today may some day turn out to be our hey-day.

I was here when we were in the minority, I was here again when we were in the majority, and I am here now when we are in the minority, and by the Grace of God, I may be here when we are again in the majority, and I say to you members of the Republican party you will rue the day when you interfere with the rights of the minority.

Mr. HEYBURN. I think the gentleman from Westmoreland, Senator Dent, has given a very excellent plea for the helpless minority and that it is very much to the point, and I am all in favor of it, and that is one reason why this bill was introduced.

These few Democratic leaders who came to me told me that there is nothing they can do with their party now because, as they expressed it, "Dave" and "Clair" were in control of the Senate on the Democratic side and they had no one to sponsor this bill for them and all that was done was that the bill was introduced in the Senate. There was no Caucus action taken or anything else to pass it, it is just here for the action of the members of the Senate.

Mr. WOODWARD. Mr. President, I simply want to say that when one has lost a friend it is very difficult to bear, but it is made doubly difficult to bear when one loses one's life long friend, as I have just evidently lost my friend, Johnny Dent.

Mr. SHAPIRO. Mr. President, I view this piece of legislation as very instructive and very illuminating. This side of the Senate does not want it; the Republican side of the Senate was given an opportunity to send it back to committee; it denies ownership or sponsorship of the bill except at the request of individuals who are unnamed. They can free themselves from this nonsensical piece of legislation, which has no place on the Calendar, by voting against the bill. If they vote for this bill it will strike me that their interest is a little deeper than merely a so-called difference between two political office-holders in the Commonwealth of Pennsylvania.

If this were a good bill I would not mind introducing it—I am not a Lawrence or a Ross or a Wagner Democrat—I am supposed to be a Guffey Democrat, I think one newspaper said. But whatever kind of a Democrat I am, I can recognize something like this when I see it. Either the Republican party defeats it or it passes it, and if it passes it, it is because of more than a mere request by some Democratic leader.

I remember the days of bi-partisan rule in Philadelphia, I remember the days when the Republican party controlled the Democratic Party, and if this is the beginning of the Republican Party's attempt to control the Democratic Party, we ought to know it now.

I therefore desire to interrogate the gentleman from Delaware, Senator Heyburn.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. Gladly, Mr. President.

Mr. SHAPIRO. Will the gentleman from Delaware be committing a breach of confidence if he tells us who it was in the Democratic party that gave him the bill to introduce.

Mr. HEYBURN. Oh, Mr. President, the gentleman from Philadelphia ought to know that is an improper question. I am not going to divulge all the conversations or the names of people I have talked with up here in Harrisburg during the last six months. If the gentleman themselves have no objection, I will tell him, but I will not otherwise.

Mr. SHAPIRO. I have no objection, except I want to be sure I am not asking the gentleman from Delaware to do something I know he would not ask me to do, namely to violate a confidence. If it is not violating a confidence, I am prepared, ready, willing and anxious to hear named the person who asked that this bill be sponsored by the Republican party.

Mr. HEYBURN. It was not to be sponsored by the Republican Party at all, Mr. President. Here was a poor helpless group of Americans who had no way of getting a bill introduced in the Senate of Pennsylvania, as I recall, because of the pressure exerted by certain party leaders over Democratic members of the Senate. That is the information I understood or got out of the conversation.

Mr. SHAPIRO. Since this bill can not be passed without the votes of the Republican party, it must assume sponsorship of this bill, but irrespective of that, I repeat again, a man has a right to refuse to answer.

Mr. HEYBURN. I have refused once, Mr. President, and the gentleman from Philadelphia, Senator Shapiro, has no right to ask such a question. The gentleman from Philadelphia is a gentleman—I have always regarded him as one—and he should know that is an improper question.

Mr. SHAPIRO. Mr. President, if the gentleman from Delaware refuses to answer I have no quarrel with him but I do deny that it is not a gentlemanly question; it is a legislative question. There is a bill on the Calendar, Senate Bill No. 177, and the people will ask and are entitled to know, and I am sure no one will hide from them the origin of that bill. Every bill on this Calendar is subject to scrutiny as to the origin of the bill for the purposes of ascertaining the motives back of the bill. Those are things that help us decide how we should act on a bill. If a bill comes from vicious sponsorship we ought to know it; if a bill comes here motivated by high ideals we ought to know that, and if a bill is introduced motivated by low, mean, political ideas, we ought know that too.

The Democratic party, consisting of people in the State. is a party for the people, and if some of its members, leaders as I understand it, attempt to play cheap, mean politics and allow bills to be placed on the Calendar at a time like this, when they have no place on the Calendar, the public ought to know that too.

I have been complaining here in the Senate that legislation introduced by the Republicans is nonsensical and reprehensible, in view of the conditions under which we are living today, and I shall make the same complaint about any bill introduced by Democrats, and I shall make my statement on the floor with equal vehemence.

I say that this bill, motivated apparently as it is, by some cheap nonsensical politician, does not belong on the Calendar and the public ought to know the name of this man.

Mr. BARR. Mr. President, the gentleman from Delaware stated that this bill could not be introduced by any Democrat. I have taken the trouble to poll the Democrats present on the floor, and I can tell the gentleman from Delaware that no Democrat on this side was asked to introduce this bill.

And the question recurring,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—15

Barr,
Coleman,
Cox,
Dent,
Gourley,
Haluska,
Holland,
Jaspan,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 246, entitled:

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever any tax collector or receiver of taxes in any county of the sixth class shall have failed or neglected to make return to the county commissioners of taxes assessed and levied against seated lands for the years one thousand nine hundred and thirty-eight one thousand nine hundred and thirty-nine or one thousand nine hundred and forty within the time required by law the tax collector or receiver may legally and validly make return of such taxes in the manner provided by law for such return at any time within six months after this act takes effect and the liens of any taxes for said years so returned under the authority of this act shall be valid and are hereby ratified and confirmed and a county treasurer's sale is held or on any day to which said sale may be adjourned or readjourned in the manner provided by existing law Provided however That the return of any tax under this act shall not revive or re-establish any tax lien against real estate which was transferred to any bona fide purchaser during the time when any such lien was lost nor shall such return effect the priority of the lien of any mortgage or other lien which was entered prior to the tax lien or which gained priority because of the failure of the collector to return the tax at the regular time

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barr,
Becker,
Ealy,
Edmonds,
Kephart,
Letzler,
Stiefel,
Tallman,

Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 261, Printer's No. 195, and the rest of the bills on third reading Calendar, go over in their order.

Mr. WALKER. Mr. President, I second the motion.

It was agreed to.

SECOND READING CALENDAR

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that all bills on second reading Calendar go over in their order.

Mr. GELTZ. Mr. President, I second the motion.

It was agreed to.

MOTION TO READ BILLS THE FIRST TIME

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. TALLMAN. Mr. President, I second the motion.

Mr. BARR. Mr. President, I object.

The PRESIDENT. Is there objection?

Mr. BARR. Mr. President, I object. The bills are not printed and can not be read.

Mr. HEYBURN. Mr. President, if the gentleman from Allegheny desires to delay the proceedings here and cost the taxpayers of the Commonwealth of Pennsylvania hundreds of thousands of dollars uselessly, without any need at all, which is just exactly what he is doing—it costs something like $10,000 a week, as I understand, to pay the employes here, and with the tactics the gentleman from Allegheny is pursuing we will probably be here until Christmas.

MOTION WITHDRAWN

Mr. HEYBURN. Therefore, Mr. President, I withdraw the motion that all bills reported from committee at today's session be read for the first time.

Mr. TALLMAN. Mr. President, I withdraw my seconding of the motion.

Mr. BARR. Mr. President, it is high time the Republican party also realizes that it is wasting the money of the people.

We have been here now three months and we have done nothing but pass ripper legislation and special legislation paying off political debts of the last campaign. I accept the challenge of the gentleman from Delaware, Mr. Heyburn, and I intend to see that this session shall be run according to the Constitution of the State.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Tuesday, April 13, 1943, at 6:00 o'clock a. m. Eastern War Time.

Mr. BOWERS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:49 o'clock p. m. Eastern War Time until Tuesday, April 13, 1943, at 6:00 o'clock a. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 12, 1943

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

Dear Lord, we praise Thee for sparing our lives and supplying all our needs. We beseech Thee to give to every Legislator sound judgment and divine guidance in all their deliberations. May the laws enacted by these public servants prove to be a blessing to all concerned. Reveal unto us ever more clearly Thy purpose for Thy world, make us confident of Thy presence, and help that we may live and labor courageously and creatively in behalf of a truly Christlike world. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 8, 1943.

The Clerk proceeded to read the Journal of Thursday, April 8, 1943, when, on motion of Mr. TURBETT, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. DAVID P. REESE, Jr. HOUSE BILL No. 1094.

An Act to further amend paragraph two of section eleven of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by making retroactive the provisions thereof conferring certain benefits upon State employes who separate from State service without retiring, and return thereto within a prescribed period of time, and increasing such period of time from ten to twelve years.

Referred to the Committee on State Government.

By Mr. COHEN. HOUSE BILL No. 1095.

An Act to further amend subsection two of section six, and subsection (a) of section seven of the act, approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled: "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by eliminating certain provisions thereof specifying unfair labor practices, and authorizing the board to certify a local union as the collective bargaining agent for a single employe in certain cases where the employer has only one employe of any particular trade or occupation.

Referred to the Committee on Labor.

By Mr. COHEN. HOUSE BILL No. 1096.

An Act to amend subsections (m) and (n) of section sixteen, and to add subsection (f) to section twenty-eight of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447), entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," by further regulating the private sale of real estate by fiduciaries, and making agreements of sale entered into by fiduciaries valid and binding and without liability on their part for penalty or surcharge.

Referred to the Committee on Judiciary General.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 17.

An Act creating a Municipal Employes' Retirement System for the payment of retirement allowances to officers and employes of political subdivisions and providing for the administration of the same by a board composed of certain state officers and others appointed by the Governor imposing certain duties on the State Employes' Retirement Board and the actuary thereof providing the procedure whereby political subdivisions may join such system and imposing certain liabilities and obligations on such political subdivisions in connection therewith and as to certain existing retirement and pension systems and upon officers and employes of such political subdivisions providing certain exemptions from taxation execution attachment levy and sale and making an appropriation

Referred to the Committee on State Government.

SENATE BILL No. 311.

An Act relating to appointments, reclassifications and promotions under any civil service system of this Commonwealth, since March sixteenth one thousand nine hundred forty-two until a period after the cessation of hostilities; making such appointments of war duration; providing for examinations at the end of such period; abolishing the State Civil Service Commission during such period; providing for the appointment of members at the end thereof; conferring powers and imposing duties on the Superintendent of Public Instruction; suspending inconsistent laws; and prohibiting the establishment of civil service system by rule or regulation for a limited period

Referred to the Committee on State Government.

SENATE BILL No. 404.

An Act to amend section one of the act, approved the twenty-fourth day of April, one thousand nine hundred thirty-one (P. L. 48), entitled "An act requiring the recording of certain written agreements pertaining to real property, and prescribing the effect thereof as to subsequent purchasers, mortgagees, and judgment creditors of the parties thereo," permitting that written agreements pertaining to real property be acknowledged by the sellers or grantors therein.

Referred to the Committee on Judiciary General.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. STOCKHAM.

(Concurrent) RESOLUTION No. 58.

In the House of Representatives, April 8, 1943.

The United States of America is engaged in the greatest struggle of its history for the preservation of its independence, first declared on Pennsylvania soil on July 4th, 1776.

It is imperative that we concentrate all our resources and lend every effort to the winning of this war.

Nothing must be done that shall disrupt the harmonious relations existing between the United Nations.

It has become plain, however, that it is necessary to be thinking and planning now concerning the peace, so that once the war is won we may not be unprepared for the peace as we were for the war.

To the end that public opinion in America may be so thoughtful and informed that the Nation will be able to agree upon a constructive and comprehensive plan for a just and durable peace which will protect the world against a recurrence of international banditry and aggression and which will guarantee to all peoples of the world life, liberty and justice; therefore be it

Resolved (if the Senate concur), That this General Assembly petitions the Congress of the United States now assembled, through its Senators and Representatives from Pennsylvania to take proper action concerning the peace, in conformity with the foregoing statements as being the consensus of opinion of the vast majority of the people of this Commonwealth, and that this Nation under the guidance of Divine Providence may boldly lead in such Godly endeavor; and be it further

Resolved, That we respectfully suggest to the Congress of the United Nations that the Peace Conference be invited to meet in Independence Hall in Philadelphia, the great Shrine of Liberty, where the atmosphere of freedom may peameate its deliberations and the spirits of the founding fathers may inspire a structure of world peace.

Referred to the Committee on Rules.

By Messrs. HAUDENSHIELD and MORAN.

(Concurrent) RESOLUTION No. 59.

In the House of Representatives, April 8th, 1943.

Whereas, The inspiring story of the first year of Pennsylvania's part in the present struggle against barbarism should be made known to all the people of this Commonwealth; and

Whereas, This story is competently and interestingly told in "Pennsylvania's First Year at War," a bulletin prepared by the Pennsylvania Historical Commission; and

Whereas, The Historical Commission is not able to print an edition large enough to make this bulletin generally available; therefore be it

Resolved, (if the Senate concurs), That the Bureau of Publications of the Department of Property and Supplies is hereby requested to arrange for the printing and distribution of the bulletin known as "Pennsylvania's First Year at War," in sufficient quantity to supply copies to service, patriotic and civic organizations in the Commonwealth; and be it further

Resolved, That the Pennsylvania Historical Commission is to be commended for the zeal and forethought shown in the preparation of this bulletin, and in its plans to distribute its own small edition of five thousand copies to its regular mailing list of historical societies, of high school Junior Historian Clubs, and of historically minded persons.

Referred to the Committee on Printing.

PETITIONS AND COMMUNICATIONS

The SPEAKER laid before the House the following petitions and communications which were read by the Clerk.

BUILDING AND LOAN ASSOCIATIONS

Communication for and against the passage of House Bill No. 486.

Referred to the Committee on Building and Loan Associations.

GAME

Communications protesting passage of House Bill No. 848.

Referred to the Committee on Game.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

IN THE NAME AND BY AUTHORITY OF THE
COMMONWEALTH OF PENNSYLVANIA

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

PROCLAMATION

JEFFERSON BICENTENNIAL DAY

Two hundred years ago Thomas Jefferson, one of the American Immortals, was born at Shadwell, in the Crown Colony of Virginia. Two centuries have passed but his name endures as one of the great liberals of modern times. Across the years of war, peace, progress and national development he stands as one of the familiar and significant figures in the deliberations that shaped the framework of our government and laid the foundations of our free Republic. The Declaration of Independence, drawn by his hand, is his living memorial and his everlasting monument.

He had supreme and unshaken faith in the common sense and honesty of the people. He believed, as all Americans believe, that majorities should rule by right and reason, and not by armed force. Not one of the statesmen and leaders of the American Revolution left a deeper imprint upon the Nation. The verdict of History has given him a secure place among the great dead of America.

It is fitting that the bicentennial of the birth of this patriot and statesman, lawmaker, philosopher, mathematician and economist be appropriately observed. To that end the Congress of the United States established the Thomas Jefferson Bicentennial Commission. To that end the General Assembly created a similar commission for Pennsylvania, and by Concurrent Resolution adopted April 7, 1943, has requested the issuance of a Proclamation commemorating the 200th Anniversary of the birth of the great American who devoted his life to freedom of thought, freedom of speech, freedom of religion and freedom of government.

Now, Therefore, I, Edward Martin, Governor of the Commonwealth of Pennsylvania, do hereby proclaim Tuesday, April 13, 1943, as JEFFERSON BICENTENNIAL DAY, and ask all citizens to observe that Anniversary by reading that immortal document, the Declaration of Independence, and by appropriate exercises.

(SEAL)

GIVEN under my hand and the Great Seal of the State, at the City of Harrisburg, this twelfth day of April, in the year of our Lord one thousand nine hundred and forty-three, and of the Commonwealth the one hundred and sixty-seventh.

(Signed) EDWARD MARTIN.

BY THE GOVERNOR:
C. M. Morrison
Secretary of the Commonwealth

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. CHARLES H. BRUNNER, JR., for himself, Messrs. LLOYD H. WOOD and NORMAN WOOD for tomorrow's session.

Mr. DUFFY for himself for tomorrow's session.

Mr. Sarraf for Mr. MIHM for tonight.

SENATE MESSAGES

The Clerk of the Senate, Mr. McGroerty being introduced, presented the following extracts from the Journal of the Senate:

For concurrence Senate Bills Nos. 77, 178, 243, 246, 166, 172, 211, 244, 258 and 268.

House Bills returned with amendments Nos. 49, 235 and 388.

House Bill returned without amendment No. 228,

which were laid on the table.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 228.

An Act to further amend section four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (Pamphlet Laws 15, 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" by postponing the time for the taking effect of orders of the Pennsylvania Liquor Control Board suspending or revoking licenses for a period of twenty days during which time the licensee may take an appeal

With the information that the Senate has passed the same without amendment.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 12, 1943.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, April 19, 1943, at four o'clock, and when the House of Representatives adjourns this week, it reconcene on Monday evening, April 19, 1943, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, lest we forget, and as a reminder to the Chief Executive of the Commonwealth, war was declared on December 7, 1941. An examination of the activities of this Legislature presumably directed by the Chief Executive failed to convince me that we know or that he knows that there is a war going on. We have been in session, Mr. Speaker, almost three months. The Legislature has cost the taxpayers of Pennsylvania one million three hundred thousand dollars. We have passed eighteen bills. They cost us seventy-six thousand dollars apiece, and we still haven't passed a measure that has anything much to do with the war.

If you will remember, Mr. Speaker, when the Governor addressed the Joint Session of both the House and the Senate at the beginning of this session he read from a prepared text his recommendations to this Legislature, and when he had addressed the Joint Assembly but briefly possibly ten or twelve minutes, a speech which was broadcast to the people of Pennsylvania, he put aside his prepared text. He leaned over to us intimately and strongly and with every bit of sincerity at his command he said, "Let us talk off the record, let us get serious." He talked about the war and he talked about what Pennsylvania had to do in the war and he related to us what our duties were in war times. He said then and he has said it time and time again, "we must devote every effort and every energy of the Legislative, the Judicial and the Executive; we must bend every effort to operate in the winning of this war, and I want the cooperation from both sides of the House, on either side of these halls, in the Senate and in the House. I want you to come in on these problems, I want you to discuss these problems, I want you to advise with me, I want you to criticize, if criticism need be, but I want you all to remember that we are in a war."

Let us look at the record, eighteen bills passed, a lot to do about nothing, or should I say a little to do about less. Eighteen bills about politics and a raft more coming about politics. This side of the House has retained its composure and has remained patient. This side has been waiting for three months for this war program of of the Governor, and we have seen nothing until in the last few days when the administration announced that we should finally adjourn on April 29th, when there suddenly appears a real flood of political bills. Let me put the record straight. I am somewhat complimented by these bills, and I think my party is because it seems to me from the tenor of these bills that somebody is afraid that the Democrats are going to win the next election. The attack is undoubtedly and unquestionably along political lines because the same party which throughout the length and breadth of this land in almost every legislature in session now, and in the Halls of Congress of Washington, has been crying to preserve the Constitution, preserve our Constitutional form of government and the two party system, because from such a system we must prosper and not perish, are now found initiating as perfidious a plot in war time and in peace time as it has ever been my unfortunate duty to observe and study.

We have a tax program which will be debated later and much said on it; we have other bills breaking down the labor standards, bills to break down the honest moral standards of the conduct of the merchants of the Commonwealth.

Mr. Speaker, I want to be as emphatic as I can, and I want to be as sincere as I have been up to this point, because this plot and plan gets my nanny up, and I beg the indulgence of the House if I give vent to it now, but Mr. Speaker, when this legislature consumed three months of time in which to decide whether we should fish for perch through ice, and on the question of whether or not minors are to be permitted in bowling alleys, if that is wartime cooperation, that we should take up a lot of this innocuous, vapid and vacuous legislation we have been faced with, if that is getting my nanny up I cannot help it.

We have been told time and time again, "Don't get exorcised because we have got the votes to lick you." Well, we expect to have the votes against us to lick us, but we don't expect to get licked until the people of Pennsylvania are informed of what is going on here. There is one way we are going to do that and that is to prevent this ruthless machine from continuing from this point on in, to give us a chance to catch our breath, to give the people of Pennsylvania a chance to catch their breath and wake up as to what is happening.

There is no democratic process in Harrisburg today. "We have got the votes; you say what you want." All right you have got the votes to snow us under, but we will come up again and you will have to snow us under again. If you snow us under a third time we are coming up a third time, and we will come up again and we are going to keep on coming up until the people have talked through their Representatives both on this side and the other side, and if the other side does not wake up to it, we will then know that we have kept our pledge and our faith with the people by letting them know what is going on in Harrisburg.

We do not intend to be sissy; we intend to fight about it. Before the calendar is taken up, I want to state that this side of the House, the minority party is going to request that ll bills on the calendar whether on special order of business or otherwise, from now on in shall be read at length, as provided for in Section 4, Article III of the Constitution. If you want constitutional government, we will give you constitutional procedure, if only to protect the people of Pennsylvania who are too busy with their war effort and are too busy with their cooperation in the war effort, and give them a chance to catch up to us and tell us that we have not cooperated in the war effort, and let the Governor lead us. I will take his leadership but let him come out and lead us. The Governor has continually shut us out of conferences and shut us out of committees, but we want him to lead us anyhow, we want his leadership, let him come out on the line and give it to us.

PARLIAMENTARY INQUIRY

Mr. CULLEN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. CULLEN. Mr. Speaker, under Article III, Section 4 of the Constitution do I understand that all House bills must be read at length, including the bills on special order of business?

The SPEAKER. That is exactly what the section says, according to the Chair's understanding of it.

Mr. CULLEN. Then, Mr. Speaker, I am going to request that those bills be read at length.

The SPEAKER. That request has already been made, the Chair would inform the gentleman. The House will proceed according to the provisions of the Constitution.

SPECIAL ORDER ON THIRD READING AND FINAL PASSAGE

The SPEAKER. The Chair lays before the House the Special Order fixed for this time being House Bills Nos. 546, 544, 545, 547, 548 and 1056.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 546, as follows:

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (Pamphlet Laws 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time by reducing the rate of tax eliminating the deduction for Federal taxes by further defining net income authorizing the Department of Revenue to grant an additional extension of time for filing reports changing the method of reporting in certain cases reducing the interest penalty on unpaid taxes and making certain of the changes effected by this reenacting and amending act retroactive to a certain extent

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as last reenacted and amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 62) are hereby reenacted and further amended to read as follows

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net income of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties.

Section 1 Short Title Be it enacted &c That this act shall be known and may be cited as the "Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That except as hereinafter otherwise provided additional deductions shall be allowed from net income on account of any Federal taxes paid after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes during such calendar or fiscal year for the preceding calendar or fiscal year or accrued during such calendar or fiscal year for such year as the case may be and on account of any dividends received from any other corporation And provided further That in the case of a corporation participating in the filing of consolidated Federal returns the additional deduction allowed from net income on account of any Federal taxes paid or accrued shall be an amount which bears the same ratio to the total Federal taxes of the group after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes as the net income of the corporation computed without a deluction for Federal taxes bears to the sum of the net incomes of the several members of the group computed without a deduction for Federal taxes and provided further That on reports filed for the calendar year one thousand nine hundred forty-three or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for any Federal taxes whatsoever And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In case the entire business of any corporation other than a corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized from the sale of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized from the sale of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within this Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be the amount of its gross receipts for the taxable year from (1) sales fees and commissions except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributed to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business asignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or received without the Commonwealth

3 In case the entire business of any corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as shall be attributed to business transacted within this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross premiums received from business transacted within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its business "Gross

Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policy-holders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from business transacted in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of six per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred and thirty-five and ending in the calendar year one thousand nine hundred thirty-six a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-six and ending in the calendar year one thousand nine hundred thirty-seven and a similar tax at the rate of seven per centum per annum upon each dollar of the net income of such corporation during the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two except when a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of seven per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two and a similar tax at the rate of four per centum per annum upon each dollar of the net income of such corporation received by and acruing to such corporation during the calendar years one thousand nine hundred forty-three and one thousand nine hundred forty-four except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of four per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred forty-three and one thousand nine hundred forty-four

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 4 Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two [and] one thousand nine hundred forty-three one thousand nine hundred forty-four and one thousand nine hundred forty-five to transmit to the department upon a form prescribed prepared and furnished by the department a report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

(a) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portions of said return as the department may designate

(b) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

(c) Such other information as the department may require

The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date its report is required herein to be made shall pay the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable [until sixty (60) days after settlement and thereafter at the rate of twelve (12) per centum per annum until paid except that any taxes found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date such taxes are due and payable] until paid Provided however That any corporation may pay the full amount of such tax or any part thereof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act

If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department [may upon application made to it in such form as it shall prescribe] shall not permit any corporation owning or coltrolling directly or indirectly [a majority] any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income [Provided That consolidated reports may be made only by corporations making consolidated returns to the Federal Government]

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixty (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars ($5.00) for every day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be [to hear and determine any petition for the resettlement of taxes alleged to have been overpaid and upon the allowance of such petition] to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby auhorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlemnt shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal by the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any person shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations for the [eight] ten calendar years one thousand nine hundred thirty-five one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one [and] one thousand nine hundred forty-two one thousand nine hundred forty-three and one thousand nine hundred forty-four or for the [eight] ten fiscal years ending in the calendar years one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two [and] one thousand nine hundred forty-three one thousand nine hundred forty-four and one thousand nine hundred forty-five

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment and in addition to its prospective operation shall except to the extent its context expressly indicates otherwise be applicable also to the tax upon net income received by or accruing to corporations during the calendar year one thousand nine hundred forty-two or during any fiscal year commencing in the calendar year one thousand nine hundred forty-two as the case may be

(During the reading of the bill)

POINT OF ORDER

Mr. MORAN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. MORAN. Mr. Speaker, there is so much confusion going on in the House, I do not think the Members are even listening to the reading of the bill.

The SPEAKER. The point of order is well taken. The Chair concurs in the statement of the gentleman from Allegheny.

PARLIAMENTARY INQUIRY

Mr. McKINNEY. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Venango will state his question of parliamentary inquiry.

Mr. McKINNEY. Mr. Speaker, is there anything in the Constitution that requires a Member to listen to the reading of these bills?

The SPEAKER. There is not.

QUESTION OF INFORMATION

Mr. MORAN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state his question of information.

Mr. MORAN. Mr. Speaker, if some of the Members as individuals do not think it is necessary to listen to these bills, there may be a lot of other Members that do, and I think we ought to have order, so that the ones who do want to listen may listen.

The SPEAKER. The Chair has endeavored repeatedly to maintain order.

Mr. McKINNEY. Mr. Speaker, I want to make a statement.

The SPEAKER. There is nothing in order but the reading of the bill.

Mr. McKINNEY. Mr. Speaker, I wanted to answer the gentleman's inquiry.

The SPEAKER. Is the gentleman from Venango propounding a question of parliamentary inquiry?

Mr. McKINNEY. Mr. Speaker, it is not a question of parliamentary inquiry, I just want to answer the gentleman.

The SPEAKER. The Chair cannot entertain any other business except the reading of the bill.

PARLIAMENTARY INQUIRY

Mr. McKINNEY. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Venango will state his question of parliamentary inquiry.

Mr. McKINNEY. Mr. Speaker, have not the bills been on the calendar for three separate days, and also in Committee? These bills are on third reading, they have been read twice.

The SPEAKER. The bills have been on the calendar for more than three days.

Mr. McKINNEY. Mr. Speaker, have not the Members had ample opportunity to study the legislation contained in the bills so that they can intelligently vote on them?

The SPEAKER. That is correct. The Chair concurs, however, there is nothing in order except the reading of the bill. The Clerk will proceed.

Mr. LEVY. Mr. Speaker—

The SPEAKER. The Chair informs the gentleman that there is nothing in order except the reading of the bill.

POINT OF ORDER

Mr. YESTER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The Chair will inform the gentleman that there is nothing in order except the reading of the bill.

Mr. BROWN. Mr. Speaker—

The SPEAKER. The Chair would inform the gentleman from Allegheny that there is nothing before the House except the reading of the bill. The Chair will recognize the gentleman from Allegheny at the first opportunity.

Mr. BROWN. Mr. Speaker, I arise to a Constitutional Point of Order—

The SPEAKER. The Chair will recognize the gentleman at the first opportunity.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

The SPEAKER. The Chair now recognizes the gentleman from Allegheny, Mr. Brown.

Mr. BROWN. I rose to a constitutional point of order, Mr. Speaker, but the Chair did not recognize me. I doubt whether my constitutional point of order will be valid at this time, because I wanted to challenge the reading of the bill at length. Whether or not I can do it after the bill is read, I ask the Speaker to decide.

Mr. Speaker, I realize that the course I am about to take and the statements I am going to make will show that I am not in accord with the Minority Floor Leader. I am absolutely in accord with that part of his speech which had to do with the waste of time that we have put in here at this session. That is not in debate now. I quite realize that, but in order to make my constitutional point of order I want to divide that part of the speech with which I disagree.

With the gentleman's request that bills be read at length, I am wholly in disagreement. I am in disagreement with that for several reasons, first of all the courts decided on the constitutionality of legislation and not the Legislature. The Supreme Court of Pennsylvania in the case of Kilgore vs. Magee, 85 Pa., 401, decided shortly after our constitution was adopted in 1877, had this to say concerning the reading of bills at length:

> "On a bill in equity filed to enjoin the execution of a statute, the court will not consider allegations that it was not read at length on the three different days in each or either House."

Ever since I have been in this House I have tried to adhere to the principles of the Constitution of Pennsylvainia and the Constitution of the United States, and I will disapprove of any attempt by any person or by any group of persons to prostitute the Constitution simply for the purpose of delay, and I say that, recognizing that we have a just fight on this side of the House. I am willing to enter that fight in any way that I can providing we do it in a dignified way, in a manner that will reflect credit not only upon us but on the people of the Commonwealth of Pennsylvania, and in no other way.

Mr. Speaker, there are only two ways. I know the majority on the other side have the votes, and they can, even if we stay here until our terms expire, enact any measure they see fit, but there are two appeals from oppressive legislation, and only two. One is through the courts of the land and the other is at the bar of public opinion. I say to my colleagues on this side of the House, and I say it with all the fervor and with all the honesty that I can muster at this time, any time you deviate from those two methods, you are placing constitutional government in peril. Those of us, particularly of my race, who have seen filibusters in the national House of Congress, know what they mean, and I opposed them there and I will oppose them here. I will vote against, I will stay here and argue so long as we argue on that point on any measure, and I know that the people of Pennsylvania will not be in agreement with the measures that will be passed. Finally, Mr. Speaker, I will utilize only the two methods that we can utilize under constitutional government and be in accord with dignity and respect, and that is an appeal to the courts, and when that fails an appeal to the last resort, the sovereign people of the Commonwealth.

Mr. LICHTENWALTER. Mr. Speaker, I ask unanimous consent that the other bills which are on special order tonight at 9:30 p. m. be read and debated at the same time, if it is agreeable.

The SPEAKER. Will the House give its unanimous consent to debate all the bills on special order at the same time? Is there objection? The Chair hears none and consent is granted.

Mr. LEVY. Mr. Speaker—

The SPEAKER. The gentleman from Lehigh has the floor. The request of the gentleman from Lehigh was in conformity with an agreement between the minority and majority parties.

Mr. COHEN. Mr. Speaker, it is the wish of the minority, by agreement with the majority this afternoon, that all these bills, which all pertain to the same general subject, may all be debated at the same time.

Mr. LEVY. Do I understand, then, Mr. Speaker, that following the reading of House Bill 546, Printer's No. 380 which has just been read by the reading clerk, we are now going to debate all the tax bills at the same time?

The SPEAKER. The Chair would inform the gentleman that that was a gentleman's agreement, and the request of the Majority Floor Leader is in conformity with that request. The Chair is not sure which one of the bills was to be used to enter the debate, whether it was this bill or the last bill on special order.

PARLIAMENTARY INQUIRY

Mr. LEVY. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. LEVY. Mr. Speaker, is it not necessary under the rules of the House that each bill be read individually?

The SPEAKER. That was the request of the minority floor leader and we propose to carry out that request. We propose to read every bill at length.

Mr. LEVY. Mr. Speaker, my question did entail reading the bills at length. My question was, is it not necessary to read each individual bill?

The SPEAKER. The Chair would inform the gentleman that that is what we intend to do.

Mr. LEVY. Mr. Speaker, then when are we to debate the bills?

The SPEAKER. The question recurs, shall the bill pass finally? That is the question before the House.

Mr. LEVY. Mr. Speaker—

The SPEAKER. Will the Minority Floor Leader kindly explain to the gentleman from Philadelphia what we are trying to do.

Mr. LEVY. Mr. Speaker, I do not have to have it explained to me.

The SPEAKER. You certainly asked for it.

I then object to the request of the majority leader that all these bills be debated at one time. In my opinion these bills are important, so important to the Commonwealth of Pennsylvania and to the people of Pennsylvania that each individual bill should be debated individually.

Mr. COHEN. Mr. Speaker, the present bill which was just read, and the several bills on Special Order of Business, being House Bills 546, Printer's No. 380, House Bill 544, Printer's No. 379, House Bill 545, Printer's No. 340, House Bill 547, Printer's No. 366, House Bill 548, Printer's No. 339 and House Bill 1056, Printer's No. 383, are supposed to be the Republican party's keeping of a promise. They are supposed to be the Republican party's redemption of a pledge. Just to keep the record straight and to be certain it was not a pledge made in some back room, it was not a pledge made out on the open highway where someone was walking along and talking in the air and reflecting that he would like to tell somebody what he thinks, let me read to you from a copy of a document that apparently found favor with some two hundred twenty thousand more people in the Commonwealth than my party was able to get for its program and its candidate.

Under platform twelve of the Republican party, the title of the platform is: "Taxation," and it reads something like this, in part:

> "With the great increase in Federal taxes made necessary by war, it becomes the duty of the State, the county and local governments to reduce their levies, wherever possible, in the face of decreasing revenues." * * * * "We will undertake to reduce taxes and equitably to revise the fiscal laws of the Commonwealth."

Mr. Speaker, I have always contended that Philadelphia lawyers were much overrated, but it does not take a Philadelphia lawyer to use smart language, and I think the people understood what this meant. It did not mean to the people, we will undertake to reduce taxes comma or period or semi-colon or dash, and equitably to revise the fiscal laws of the Commonwealth. It did mean to the people that, we will undertake to reduce taxes and equitably to reduce taxes. So when we consider this program we have got to see whether or not there is any equitable attempt to reduce taxes to the people of the Commonwealth.

At a dinner not long ago in Harrisburg, one of Pennsylvania's foremost journalists said something that may have been true. In fact, I have often heard that many a truth is spoken in jest. This eminent journalist made reference to or alluded to something to the effect that utilities were to be paid off or going to be paid off or were paid off. I choose to believe that by the enactment of one of these special bills the utilities are going to be paid off, and not only the utilities.

Mr. Speaker, my party pledged tax reduction. They said, "Wherever possible we will reduce taxes." Don't stand up here and say that my party said "we will take off $100,000,000." I think if we will look into the matter carefully we will find that a lot more can be taken off than the majority party proposes to take off here. My point of complaint is that this is not an equitable tax reduction program. As a matter of fact, I think we are more or less out of order when we talk about a tax reduction program right now, because what we are doing is establishing a tax program for the next two years, and as yet we have not established a proper budget. We know what money we want to take in, but still we don't know what money we are going to spend. Even Arthur James would say that is not good business. Let me say, that the budget as presented to the House and to the Senate had a certain number of millions of dollars for this, a certain number of millions of dollars for that; they were going to do this with some of it and they were going to that with some of it, but no matter how it would figure up or add up, at the foot of the page it came out even. It's very simple, Mr. Speaker, you don't have to be a wizard. When you come to the end of it you put on a couple of figures and you have got a balanced budget. That is what we have a budget for, and this tax program is a part of that budget.

For instance we talk about corporate net income. We talk about the amount of corporate net income, which is actual and which is estimated for the biennium ending May 31, 1943, and the figures submitted by the Governor tell us that we are going to take in some $66,000,000 in all, or $63,000,000 in all. Up to this time that money has come to $54,000,000. Let me correct myself, the amount in the budget of 1941 was, I think, $63,000,000 and the actual estimated for this biennium is $84,000,000. We have taken in up to now, Mr. Speaker, some $54,000,000, and that represents practically all of one year. For the year ending May 31, 1943, for which returns were filed March 15, we have no figures as yet, but it is my guess, or better, it is my estimate, and to go further it is my prediction, that we will have received upwards of $90,000,000 in that fund before we close the books for this year.

Then we talk about other taxes. I am going to jump from one to another just to point out how fallacious these figures are. For instance, the gasoline tax, the estimate for the coming biennium is some $17,000,000. For the first couple of months for this year, at a time when automobile use and gasoline consumption in Pennsylvania is probably at its lowest possible level, the Commonwealth took in well over $1,000,000 a month on the emergency one cent tax, so it seems to me, that there is a miss of at least $7,000,000. Then the budget very clearly tells us that twelve million dollars has not been marked down for anything, and so on down through the various items, and you find huge sums of money accumulating which are not being made public and which is not honest for one reason, that it is an attempt of this administration to evade the mandate of the Constitution, Article IX that all surpluses at the end of biennium shall be put into a sinking fund, and in order to avoid that the estimates are made purposely low so that the administration may at the end of two years make good Arthur James' promise that we will have a lot of money in the bank. That money will be carried over by devious routes and by very serious devices to give us a huge sum of money in the bank, when we are prohibited by the Constitution from so doing.

Now let us talk briefly about the tax program itself. Let us very briefly refer back to the time when all these emergency taxes were enacted. The Commonwealth of Pennsylvania at that time was faced with a serious problem, to take care of unemployment relief. There were various estimates as to how much money was necessary. Exactly how much no one knew because the rolls were going up higher every day, but the administration at that time boldly struck out and decided upon the emergency tax program, which provided for taxes on the top and on the bottom, taxes on corporation, taxes on utilities, taxes on personal property, and then for the little fellow a two cent tax on every package of cigarettes he bought; on the automobile user a one cent emergency gasoline tax. Seventy-seven percent approximately of the entire tax yield of one hundred ninety million dollars fell on the corporations, and the balance of twenty-three per cent fell on the little fellow. That was an approach to an equitable manner of distributing the cost of government for that specific purpose, to take care of these in need and to take care of those whom it was our bounden duty to take care of in a crisis.

So we come to the tax reduction program, and what do we have? Eliminate the tax on personal property—and I agree with you that we should eliminate that tax because it is already imposed by the counties, and is probably not an equitable tax because it is a tax on principal, not on income—the tax on bank shares and securities. Then we have one that slipped out in a hurry, one that they found they could not have. In view of the fact that the administration was complaining that it had no money for school teachers and in view of the fact that the press publicly printed that House Bill 816 would entail an estimated cost of twenty-seven million dollars, the administration threatened to cut it down to twenty million dollars because the funds were not available—and in the face of that situation a reduction of taxes to the utilities of three and a half million dollars. So, Mr. Speaker, we have the picture of corporations being taken care of, the investment brokers and people like that taken care of, and then the utilities are taken care of, everybody on top. The fellow who has the most money and is best able to afford to pay taxes is taken care of. Is this because he complained so loudly? Is it because he talked so sweetly? Is it because it was the right thing to do, or did he come to the Governor and say sweet things to him and remind him of certain promises made during the campaign in exchange for a certain type of support which they gave to the Governor in his campaign for election? It is most likely that, because the Governor is a man of his word, and he certainly is keeping his word to the vested interests. But is he keeping his word to the people? I charge, Mr. Speaker, that this tax program is unbalanced, and an unholy attempt to repay the financial supporters of the Governor's campaign. I say that, Mr. Speaker, because with money hidden away so that it should not dare be spent or should not dare be reflected in a reduction of taxes to the little follow, and with an utter disregard for what the little fellow might want, a tax program, is set up, to take care of those on top and forget the fellows on the bottom.

I know, Mr. Speaker, that there is a very simple issue here. Over the week end the public press commented on the fact that I would most viciously and vigorously oppose such a vicious and unholy tax program. The sponsor of the bill said that this was the best program ever put on the statute books of Pennsylvania. If so, I suppose on the face of this, you will vote 126 and we will vote 76 and the bills will pass. But you cannot stop me from protesting and you cannot stop me from telling the people of Pennyslvania that this is how the Governor of the Commonwealth, this is how the majority party is redeeming its pledge of an equitable tax reduction to the people, and I mean all the people of the Commonwealth. I find this program so unbalanced and so full of favor to the corporations, so devoid of fear of the little fellow, such an out and out redemption of only one promise, and that was to those best able to pay, with such an utter disregard for those people least able to pay and for those who should certainly be considered in any tax reduction program.

We are talking about emergency taxes. I cannot find myself ready to vote on such bills. I am for tax reduction, and I say it again and I will say it another time, that I am for an equitable reduction of taxes. There was thrown into this situation, which is pure political grab, the slogan beat the Democratic party by beating their organization, beat their brains in and knock them senseless to the wayside and abolish the Mercantile Tax; abolish that tax because we will be giving a saving to the taxpayers of the Commonwealth. To what people? To the department stores of Philadelphia and Allegheny County? I am willing for the sake of argument to agree to the statement made by the gentleman from Montgomery last week that it would not affect the third class cities in Pennsylvania. I am only agreeing for the sake of the argument; there is some serious doubt about whom whom we are making the tax reduction for, the big merchants in Philadelphia, the department stores in Allegheny County? They have not asked for it, and I will tell you why they have not. Because they know that just as sure as there is a Republican organization in Philadelphia, and they know just as sure as they open their doors in the morning and close them at night, that the moment this tax, this oldest of taxes in Pennsylvania, this permanent tax, this tax which was not levied in an emergency, this tax which is being abolished in the face of emergency taxes being are permitted to remain, this tax as sure as God made little apples will be reenacted by the Republican machine in Philadelphia, and I can assure you at a greater rate than i. now imposed by the Commonwealth.

I know what is going to happen, and so do you, and so does the Republican party in Philadelphia, and that is why the rest of the party in Pennsylvania is asked to pull their chestnuts out of the fire. Perhaps the gentleman from Philadelphia, who so vehemently protested the wage tax in Philadelphia, will like the idea, but that wage tax is certainly coming out at the end of this year, because we are going to elect a mayor at that time. They are going to get rid of the innocuous wage tax and they are going to come out with a five or six mill tax on mercantile assessment to get the money they will have to give up on the wage tax.

This is not a tax reduction program; it is paying off the utilities; it is paying off big business, it is paying off the fellows who put it on the line before the Governor was elected. It is paying off the Republican machine for the terrible job they did in the last campaign, because they realize they cannot possibly win unless they first ruin the Democratic machine in Pennsylvania. That is what they told you in Pennsylvania, that is what they told the Republican party. They are ripping and zipping out the mercantile appraisers and getting rid of Democrats; they are going to do that and forget about the emergency taxes. I would not complain so much, Mr. Speaker, if the mercantile taxes were scaled down to fit everybody, but when you take the tax off the big guys and leave it on the little fellows, I find myself in a position where I cannot vote on these bills. If these bills were equitable, I would say "aye" in a hurry. I am for tax reduction, but Mr. Speaker, these bills are such a filthy mess that I cannot find my way clear to vote for any of them.

Mr. CULLEN. Mr. Speaker, most of my remarks are addressed to House Bill 1056 but in accordance with the agreement I presume I am in order.

The proposed abolition of the mercantile tax under ordinary conditions could be accepted as a step in the right direction, were it not for the fact that the motives behind this seemingly fair proposal, are as sinister as they are vicious. The tax as now levied is so small and trivial and its abolition will afford little consolation to the business man, big or small. Its abolition is definitely intended to serve as nothing more than bait for the purpose of securing the small business man's support in the coming Municipal elections.

I charge here and now that when this tax is abolished, it is secret understanding between the Republican leadership and certain county administrations, that a mercantile tax as much as ten times the present levy will be gouged from the pockets of the business man next year in the form of a county licensing levy. Our Republican friends always had been as they are now, experts in the art of political chicanery. Here is evidence of that art in actual practice. But this is not all behind the move to win the friendship of the small business man by giving him trivial temporary tax relief and securing thereby his support in this election year.

I shall now disclose a more sinster and vile aspect of the operations of Machiavelli reincarnated. House Bill 1056 calls for the abolition of the tax on pin ball machines, twice outlawed as gambling devices by the Court of Philadelphia. We talk of slot machines as one-armed bandits, but the pinball machine as a device of chance is verily a creature of the inventive genius of Satan himself. Whereas the slot machine is hidden from view and usually prays only on the susceptible adult, the pinball machine invariably relieves the irresponsible juvenile of the nickels his mother intended for lunch, or contribution to church or charity. May of you had received complaints time and time again from principals of schools that children were in the habit of gambling away every nickel they had received from their mothers to purchase milk and food during recess. The inclination to try their luck on a clevely and attarctively constructed pinball machine, however, is so pronounced in countless numbers of our youngsters that they go hungry from morning to early evening after dropping their nickels into the pinball machine's hungry maw.

Another question I would like the Republican leadership, that invisible leadership behind the scenes, to answer is just why are they so kind to the gentry known as pinball machine operators and distributors, that coterie of shady characters who would enrich themselves while children of our State go hungry because of the natural youngster's inclination to fall for the gaudy hues of this pernicious gambling device? Is this the Republican party's payoff to denizens of the underworld and society's dissidents for the support the Grand Old Party receives from them on election day? Is it a return with a substantial bonus of the political contribution made by these elements to the Republican campaign committee? If repeal of the mercantile tax is intended solely to lessen the tax burden on the businessman, why does the Republican party include therein the only measure of control over wild distribution of the pinball holdup of children by abolishing the existing levy, so that these preying parasites, who neither sow nor reap yet harvest a golden crop, might be given carte blanche to spread this gambling disease in corners of our Commonwealth as yet untapped? I say to you that if ever there were a scheme conceived in iniquity, nurtured by the slime of youth corruption and born of a shameless desire to advance party interest, it is this pinball machine tax repealer. The Republican party has the votes in both houses of this Assembly necessary to insure this bill's passage. The responsibility for this brazen handout of thousands of dollars to these conscienceless, mercenary harpies preying on the weaknesses of our youth, rests squarely on the shoulders of this administration. The consequences of your action, should House Bill 1056 be enacted into law, will be yours to cope with. You may rest assured that we of the Democratic party will point them out to you every time the opportunity presents itself.

Mr. WELSH. Mr. Speaker and fellow members, I too wish to direct my remarks towards House Bill 1056.

House Bill 1056 is a measure dealing with the abolition of one of the six forms taxation to be meat-axed to make up the $40,767,300, front paged in the Governor's budget of this Session, and specifically labeled as the Administration's tax reduction program.

The tax to be eliminated by the instrumentality of this bill is the victim of an artful and cunning alternative choice designed to circumvent the Governor's dramatic plea that nothing matters but the winning of this war and that politics should be out the window for the duration. The first choice was to march the youngster from the tender care of his original parent, the Auditor General, into the waiting arms of the Revenue Department, but the declaration that nothing matters but the winning of the war and that politics should be out, came ringing over the mountains, driving the advocates of the first choice into the foxhales in the valley of political expediency.

All of us favor tax reduction where it is possible, and under ordinary circumstances the abolition of the mercantile tax could be accepted as a step in the right direction. But, behind this especial tax reduction proposal are seeming sinister and vicious motives. Its prime aim is to throw Democrats out of jobs, to weaken the present majority's opposition and to put the little businessman in line to swallow Republican propaganda, hook, line and sinker so that this year's election returns will be more to the GOP's liking.

My fellow members, the killing of this tax should cause every historical mind to sit up and take notice, for it was first enacted in the year of 1821, as a license tax. In its original form it applied to dealers in foreign wares or merchandise only, but by the Act of May 4th, 1841, all dealers became liable to the tax, whether they handled foreign or domestic goods. There was exemptions for those whose annual sales did not exceed $1000, and those selling goods of their own manufacture or growth, there was also exemptions for feme sole traders whose annual sales did not exceed $2500, and importers of foreign goods, sold by them in the original packages.

It is interesting to follow the history and the transformations of the little fellow who is up for execution, and whose death warrant is symbolized in House Bill 1056. He was around here serving his master, the Commonwealth of Pennsylvania, when many other forms of state taxation were yet unborn, or still in their swaddling clothes. As a tiny kid no one seemed to want him, yet undaunted, he hung around the walls of drug stores, people going forth to buy stocks met with him in the brokers' office, he was familiar to bill brokers, note brokers, merchandise brokers, exchange brokers, factors and commission merchants, real estate, agents and pawn brokers. He was always around shooting galleries, shuffleboard rooms, billiard or pool rooms, or any other place where a game was played on a table with the use of balls and cues, yes, in bowling alleys, nine pin alleys and ten pin alleys.

He always met the circus as it came into town, peered out at mom when she bought the groceries, and kept a watchful eye over pop when he ambled into take a drink.

By 1919, this legislature thought something ought to be done about him, and so, in amending the Act of 1899 the Auditor General was required to investigate and ascertain the character and amount or volume of business transacted by any dealer or dealers, vendor or vendors, who by fraud, accident or mistake failed to make a full, complete and accurate return and impose the correct amount of tax indicated by the facts in each case.

From this it can be seen that the Auditor General was an important factor in the collection of the tax. By the Act of April 9th, 1929, however, it was provided that the exercise of powers and performance of duties in connection with the collection of mercantile license taxes be entrusted to the newly created Department of Revenue. It is significant to note that at the time, or year of this transfer of collecting authority, the present Governor was Auditor General.

Farewell, you good and faithful service man, Mr. Mercantile tax. You have served your state for 122 years, during which you always brought home the bacon. If your past performances were appreciated, if the weight of your possible yield in dollars were to be stored away for future years, you could reduce the distress of many a school district, or aid in the maintenance of many a state institution.

Alas, after you receive your sentence beneath the glistening ceiling of this gold trimmed house, you will be hurried to your doom in the Senate chamber. There, like Socrates of old, you will drink the hemlock. Then you will have only to walk about till January of 1944, until your legs are heavy and you have to lay down. Your enemies will press your foot hard and ask if you can feel it. Your answer will be "No," and then they'll feel your leg and upwards and upwards you will be cold and stiff. You will realize that with the dawn of next year the poison will reach your heart, that will be your end. You will give orders for the payment of your last debts, and with the rattle of death you will give up the ghost.

Mr. LEVY. Mr. Speaker, I am going to preface my remarks by saying to the Republican majority that when I was elected to this House for four terms I was not elected to a tea party, and if the Republican majority will give me the opportunity I wish to express tonight some constructive criticism on one bill. So, Mr. Speaker that I might not confuse the Majority Leader, I might inform him that I desire to ask him a question on House Bill 546, the first bill on the calendar tonight.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LEVY. Mr. Speaker, if the gentleman from Lehigh would look at House Bill 546, Printer's No. 380, I would ask him to kindly explain to me what the Administration means from the end of line 26 to the bottom of line 13 on pages 4 and 5.

Mr. LICHTENWALTER. Mr. Speaker, I think that the language is very clear. It would allow them to consolidate their returns after a certain date.

Mr. LEVY. Mr. Speaker I desire to inquire of the gentleman from Lehigh whether from line 26 on page 4 to lines 12 and 13 on page 5 this does not conform with the Governor's request that the tax on corporate net income be changed, at least the base of the tax, in order to get into the treasury the sum; and I quote the Governor, "twenty million dollars and thirty-five million dollars more than what the State has been accustomed to receive under this tax?"

Mr. LICHTENWALTER. That is correct, Mr. Speaker, I cannot say that the amounts are correct but the plan is to do what the gentleman from Philadelphia has said.

Mr. LEVY. Mr. Speaker, I desire to inquire of the gentleman whether he, representing the majority, knows how much money will be taken from the federal treasury in this new base of tax?

Mr. LICHTENWALTER. I cannot answer that question, Mr. Speaker. I do not think anyone at the present time can estimate just the amount which will be taken from the federal government in the method of collection as provided in this bill.

Mr. LEVY. Mr. Speaker, will the gentleman from Lehigh admit that the insertion of the amendment in House Bill 546 in conformity with the request by the Governor will take certain moneys from the federal treasury?

Mr. LICHTENWALTER. That is correct, Mr. Speaker.

Mr. LEVY. That is all. Mr. Speaker and members of the House, we have heard a great deal tonight concerning the Governor's, or rather the Republican party's program on taxation. If the only request in the Governor's program was the reduction of the millage on the corporate net income tax of the Commonwealth I would say that the Governor and the Republican party, as expressed by the Minority Floor Leader, would be paying a debt to its friends, but, gentlemen, the same language has been expressed on the floor of this House for many weeks. The fact that the Republican party tonight is going to pass House Bill 546 in order to repay the corporations of the Commonwealth of Pennsylvania is their concern, but the problem that presents itself tonight is the fact that in House Bill 546 the Republican party goes further. Not content with keeping its side bar conferences and confidences, it is now getting in the position of sticking its hand into the federal treasury in order to fatten the corporations of Pennsylvania, and I say to you, Mr. Republican Leader, that that charge is made after serious study.

I personally on Friday after digesting House Bill 546 called the Department of Internal Revenue in Washington. I spoke at length with the Assistant Deputy assigned to the collection of taxes in the federal government, and I asked him the same question that I asked of the Majority Leader tonight. His answer was very clear. He said he was not in a positioin to give me the accurate amount of money, but certainly the plan of the Governor of the Commonwealth and the plan as announced by the Republican party of Pennsylvania would take from the Federal Treasury a considerable amount of money.

Now, that made a new proposition. The Republican party, apparently not content with serving those corporations to the detriment of the people of Pennsylvania, have now decided to go and commit an act which is a detriment to the people of the United States. I listened with a great deal of interest the other day when one of the Republican members said on the floor of this House in debating a resolution that he had two sons in the Marine Corps of the United States. My sympathies certainly go out to the gentleman from Delaware. I know how he, and I know how Mrs. Bretherick must feel in these days of trying times, but I say to the gentleman from Delaware and I say to each and every Republican on the floor of this House, if the millions that Governor Martin attempts to take from the federal treasury would buy one machine gun, if the millions that the Republican party expects to take from the federal government in House Bill 546 in order to fatten the corporations of Pennsylvania would buy one jeep, if the millions that the Republican party expects to take from the federal treasury to fatten the public utilities of Pennsylvania would buy one round of ammunition, maybe that is the money needed to save the life of one single American boy.

Gentleman, I regret tonight that the first war measure sponsored by the Republican party is a measure to take from the federal treasury the money needed for ammunition, the money needed for the sinews of the war in which we are now engaged. Tonight we are faced with a serious question. I say to the Republican party, fatten your corporations, fatten your public utilities if that is your campaign promise. You do it, but don't do it to the detriment of some innocent American boy six thousand miles from the shores of the United States.

I don't think the Republican Members on the other side knew the situation in House Bill 546. It looks quite innocent, it looks like we are only giving the corporations a reduction of three mills in their tax, but, gentlemen, it goes further than that. I say to the Republican leadership tonight, if Americanism is to be our motto, if this is to be a real wartime session, if Governor Martin's words in his extemporaneous address before the Joint Session of the Assembly are to be taken as sincere, then the Republican majority leader should recommit this bill tonight and strike out from its provisions this steal of federal funds.

Oh, I listened quite attentively and I read quite enthusiastically about the Republican orators in the Congress of the United States who say, "Oh, we must have money; we must spend money." The Republican leadership in Pennsylvania is attempting by House Bill 546 to steal millions of dollars from the treasury of the United States.

MOTION TO RECOMMIT

Mr. LEVY. I move that House Bill 546 be recommitted to the Committee on Ways and Means and that this obnoxious amendment inserted in Committee in order to pervert the minds of the people of Pennsylvania be sent back for further study.

On the question,

Will the House agree to the motion?

Mr. WINNER. Mr. Speaker, I rise to oppose this motion. House Bill 546, Printer's No. 380 has been in the Committee on Ways and Means since March third. It has been given great study. I believe it is in proper position to pass at this time. The amendments which were inserted by the Committee have also been given great study. The gentleman from Philadelphia has told you in numerous ways and many times that this bill robs the treasury of the United States. It doesn't do that at all. That money never gets to the United States Treasury, So I ask my colleagues to vote down this motion.

Mr. LEVY. Last week in debating one of these bills on second reading, certain representations were also made, and I say to you, Mr. Speaker, in this most serious of sessions let us get down to serious talk, let us cut out these misrepresentations of fact. I charge that the money that went into the United States Treasury from the corporations of Pennsylvania in 1942 will not go into the treasury in 1943. Don't let the gentleman from Montgomery fool us; he is not kidding a soul. Certainly the money in 1943 will not go into the federal treasury; it will go to the state direct, but the federal government in contracting to buy planes, tanks, jeeps and guns is counting on the very millions that the Commonwealth of Pennsylvania through its stupid Republican leadership is attempting to take from them at this time. Mr. Speaker, I ask for a roll.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. Levy and Mr. Kolankiewicz and were as follows:

YEAS—71

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Duffy,
Elliott,
Finnerty,
Flynn,
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Levy,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Reynolds,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,

Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Dillon,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Reese, R. E.,
Regan,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

NAYS—126

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Readinger,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

So the question was determined in the negative and the motion was not agreed to.

On the question,

Shall the bill pass finally?

Mr. LICHTENWALTER. Mr. Speaker, first I would like briefly to reply to the gentleman from Philadelphia. Pennsylvania is not setting a precedent in the change made in the corporate net income tax. I believe Pennsylvania is the only one of seventeen states levying such a tax that is not at present collecting that particular tax as we hope to collect it in the future.

I would also like to say that with this revenue coming to the state of Pennsylvania and not going to the federal treasury, Pennsylvania will still be the second largest tax-paying state in the Union, to the federal government, and also in addition to the things the gentleman mentioned, that this money might buy for the Federal Government, he should have added jobs.

The Minority leader has criticized the estimates and the figures as contained in the budget. The Republicans appear to have a better record for estimating the general fund receipts, while the record of the minority party has not been so good. For the 1935 biennium the estimates were four percent too high. For the 1937 biennium the estimates were twenty percent too low, while for the 1939 biennium the estimates were only three percent too low, and the 1941 biennium it appears at the present time that the receipts will come rather close to the estimates.

I would like to say here that in the 1941 session in the discussion of the budget there were certain criticisms made as to the figures in that particular budget. We were told that the estimates were entirely too low, and I recall very vividly that we were told the estimates on the Liquid Fuel Tax at that time, as tonight, were entirely too low by the then Majority Leader of the House, Mr. Achterman.

Mr. Woodside, who was then Minority Leader on this side of the House, said that he felt the estimates were accurate. I want to say I am willing to take the estimates and the prophecy of this side of the House, because at that time Mr. Woodside prophesied there would be a great decrease in the Liquid Fuel Tax. This was long before we had declared war, because at that particular time we read headlines of lending fifty tankers to Great Britain to carry needed supplies of oil. He prosphesied at that time that we would have in the next biennium a great decrease in the Liquid Fuel Tax in Pennsylvania. How true his words were that were spoken that night! Nevertheless, it would probably be unfair to hold the disparity of these particular percentage figures and the conditions under which they were made by either party. However, we recall in the state informing everyone that the estimates for the current biennium at that particular time were one hundred fifty to one hundred sixty million dollars over the estimates made. Where would we have been today if we had followed the advice of the minority, who said that our estimates were far below what the receipts would be in Pennsylvania? This hit and miss careless method of making estimates and spending the taxpayers money has not received much assistance from the Republicans in the past four years, and I trust not in the future.

It has been the Republican policy to keep tax burdens and State expenditures at a minimum. The emergency taxes were imposed by the Democrats. Some of them are now being abolished by the action of the Republican party.

Personal property tax is an unfair tax, the Minority Leader has said it is an unfair tax, although the Democratic Governor in 1936 insisted it was a fair tax. One of the Democratic leaders, the gentleman from Monroe, Mr. Achterman, insisted it was a fair tax. I will assume that the minority have changed their mind, but the fact is, that it is not being re-enacted under this administration, even though the minority party made a gesture, and I say, only a gesture in 1941, because the revenues were not available for the purpose. The emergency allied taxes, known as the Bank and Trust shares and the Corporate Loan tax, are accordingly being eliminated, and the only levy remaining on these subjects, will be the normal rate of the tax. As to the Mercantile license tax, we all know it is an expensive levy to collect. The Republican platform of 1942, pledged assistance to small business. There are approximately 250,000 licensees paying various types of State mercantile license taxes. By abolishing this tax, it is obvious that it will be of assistance to small retailers, wholesalers, peddlers, and other small businesses. We will not repeat the folly of the Democrats in imposing new types of permits and other harrassing unnecessary regulations. Every effort will be made to assist and encourage business in Pennsylvania. This has been and will always be, the policy of the Republican party.

The Republican policy of aiding business and encouraging private enterprise is not new to the American way of life. When the Republican party came into power in 1939, business took on a new life, but it was not until the Legislative program was enacted in 1939 and became effective, that the unemployment trend shifted, payrolls shot upwards and the per capita income changed for the better. In the first year, the payrolls increased by 13.2 percent as against 12.9 percent for the rest of the country.

The per capita income increase $33 or .2 percent higher than the National increase. This was not a mere accident. There was no defense program to which this could be attributable. If private enterprise is encouraged, there will be more employment and less need for unemployment relief. The standard of living will rise and the worker be protected.

As indicated, the estimates at this time appear to be sound. The careless and partisan approach to the fiscal affairs of the Commonwealth as exemplified by the minority, cannot be more fully set forth than the resolution introduced by the Minority Leader, requesting that the House pledge itself not to re-enact the emergency taxes. As it was pointed out above, the wild estimates of a surplus from $150,000,000 to $160,000,000 were unjustified, so we have another publicity stunt in the form of the resolution from the Minority Leader, not to re-enact the emergency taxes. If the estimates for the normal revenues are $209,000,000 and the appropriations required for the State functions, other than Public Assistance, will be $247,000,000, it is obvious that the normal revenues will not be adequate to take care of the State functions other than Public Assistance. What about Public Assistance It was estimated that somewhere in the neighborhood of $89,000,000 is required for this purpose. Is it the desire of the Minority Leader to create deficits to which they are accustomed? Does he desire to curtail the many important functions of the State government? Does he desire to stop Public Assistance? The Republican party will take it's chances on it's tax reduction program and continue it's progressive and liberal attitude towards the social services which it established in prior years. It established Mothers' Assistance in 1913; Unemployment relief in 1931; Old Age Assistance and Blind Pensions in 1933. It will continue this program and continue such taxes as it may be necessary, so as not to deny the assistance to those unfortunates residing in our midst. I know the Minority Leader will say that his resolution number 16 states $75,000,000 is needed for Public Assistance, yet he would eliminate all emergency taxes and leave only the normal taxes estimated to yield $209,000,000 to take care of $247,000,000 of normal functions and $90,000,000 for Public Assistance. This is the type of financing the minority party would have us adopt in Pennsylvania. Deficits, muddling, chaos, waste and extravagance, has been a part of their financial programs.

By careful planning and a sound approach to the fiscal affairs of the Commonwealth, it has been possible to bring the State finances into balance. In 1939, if the State had continued to expend money in accordance with the program of the Democratic party, $487,000,000 would have been required with a general fund revenue estimated at approximately $383,000,000. In other words, only $100,000,000 of additional taxation would have been required. In 1939 the expenditures of the State government were revised, certain functions were suspended and retrenchment instituted. Today we are able to adopt the tax reduction program. This cautious and sound policy will be continued and expenditures and appropriations will be made only when the revenues are in sight.

It is interesting to note that because of the soundness of the Republican policies, it was possible to appropriate $100,000,000 more than the Democrats would for our social, welfare, health and labor services in Pennsylvania. In the four calendar years from 1935 to 1938, there was expended from State funds for Public Assistance $327,000,000 as against $367,000,000 in the four calendar years of the prior Republican administration or $40,000,000 additional. The Welfare Department and Welfare subsidies will have expended approximately $25,000,000 more; Public Instruction and Education $30,000,000 more; Health $2,000,000 more; Labor $2,000,000 and Agriculture $1,000,000. In other words, about $100,000,000 more will have been provided for these essential social, health and welfare services under the Republicans for the past administration as against the four years under the Democratic party. This, I repeat, was made possible because of the efficient and honest management of the State affairs as introduced by the Republicans. I know my friends on the other side may argue that the defense and war programs have made it possible, but bear in mind, that a $71,000,000 deficit was paid off as well, and the increased revenues do not amount to the $100,000,000 additional for public services and the $71,000,000 in deficit which the Republican administration was able to provide for. The increased revenues of the past two bienniums may reach about $88,000,000.

Therefore, our state of Pennsylvania will go forward under the sound financial program of the Republican party and make it possible in this Commonwealth that business will be able to provide the jobs and give unto the people of Pennsylvania those jobs that will pay living wages to the thousands of Pennsylvanians.

Mr. COHEN. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, the gentleman made reference to certain estimates of both the minority and the majority parties in the last biennium, and I would ask the gentleman whether he has those figures available before him now.

Mr. LICHTENWALTER. Mr. Speaker, will the gentleman kindly repeat his question.

Mr. COHEN. Mr. Speaker, I said the gentleman in his remarks just made talked about the estimates made by the minority and majority parties in the 1941 session. My question is whether the gentleman has those figures before him now.

Mr. LICHTENWALTER. I have only the lump figures, Mr. Speaker.

Mr. COHEN. Of all taxes?

Mr. LICHTENWALTER. That is right, under the budget that was presented by the majority floor leader at that time, which he stated would underestimate the revenues of the Commonwealth to the figure of $150,000,000.

Mr. COHEN. I thank the gentleman.

Mr. Speaker, I do not want to belabor this House with figures. I do not want to rehash the 1941 estimates and all the arguments in 1941, but I would suggest that any Member of the House, particularly on the other side, if he should like to have the figures, I would invite him to my lovely offices on this floor, and I will show him where Republican estimates were off in the actual receipts, and that Democratic estimates were closer to the fact. I might say in several instances we were both about right. And let me say in corporate net income we were away off; but the majority party was much further off.

We didn't come near the figure that the tax brought in, but they were away below us in their estimates. But let me say to the gentleman, the record will show, and the record is already made, that despite all this supposed reckless and wanton spending by the Earle Administration,—and don't forget, gentlemen, that you voted against the imposition of most of those emergency taxes, and by your protests we kept them low,—the gentleman will find, and anyone will find that the James administration collected more money in taxes in Pennsylvania in its administration than did the Earle administration, and that the James administration spent more money than the Earle administration.

Now, I'll tell you, if you don't remember, what I told you once before, about that elusive sixty million dollars that Arthur James talked about, that money in the bank that he was supposed to have had, I will tell you where it came from, it came from Uncle Sam.

In the Democratic administration when Governor Earle was in office, the Federal Government poured into the state some thirty odd million dollars to be used for relief of distress. In the James administratoin the Federal Government poured in for relief purposes some ninety million dollars. Figure the difference, which is sixty million dollars. Maybe that is where Arthur James got that not-proven-yet balance of sixty million dollars. I have not been able to nail it down yet, and I think it is hidden in this whole maze of figures, the under-estimated return figures for this biennium, and the hidden and low estimates for the next biennium.

I have got to take issue with one thing said. I thought one of the virtues of the Republican Party was absolute consistency. The Governor referred in his budget message to us, in the part that he said publicly,—not the part that he talked to the people of Pennsylvania over the radio, but the part that he put in the book that few people read,—he intimated it was about time the state government got rid of some of the functions and expenditures that have been accumulating in the last ten years for unnecessary bureaus, and money expended in functions that were foisted upon the public by pressure groups.

Well, let us talk about a couple of them. Unemployment Relief was within the ten years that the Governor complained about. Transportation of school children in consolidated districts is what the Governor was talking about, and many other social taxes; the taking over of the mental institutions, and so forth. That is what the Governor was talking about. He was telling his Members of this House and he was telling the Senate, "Get rid of these things that are breaking down the Commonwealth. Get rid of these social agencies that are costing us so much money." He now states, "we are the ones that should curtail the expenditures for social purposes; we are the ones that are spending all this extra money for all these social services."

You can't kid the public for very long; you can't keep it up. During the entire James administration we find the federal government pouring in many more millions and yet taxes coming in many more millions of dollars than they did before. You can't stand up there and say you denied people on relief more than twenty per cent below a third rate subsistence, and you cannot say that until only here recently you gave them a twenty or thirty or forty cent a week raise. Now, you are talking about social services, let us talk about service to the people of the Commonwealth, not just social service as an abstract term, let us talk about the money you give people, the amount you give to people that you say is for social service. Look at the facts. All the talking I will do tonight will not convince you. Just look at the record. I will go along with the great Democrat, Al Smith. Look at the record, and what the late Will Rogers always said, "All I know is what I read in the papers," and I trust it will be there time and again, will be there for the people to see. Maybe they will see their mistake back home. Don't brag about your social service when your Governor says "We ought to rid it out" and don't talk about it when you sat on your hands all the while Arthur James had control of the administration of the functions of social service. Admit if you get rid of the social service, you go back to the Hoover days, where we had to sell apples on the corner: "Leave everything alone, business will help us out, let us not care."

This idea of Arthur James waving a magic wand and business thriving and everything else, that's one for the books, too. Business didn't pick up immediately Arthur James made his inauguration speech out on the Capital steps. Business picked up when there came a sudden demand for the machinery of death; that is when business started picking up, and you can thank Adolph Hitler for that. Some day he will be called to account for that and we will all give him hallelujah for it. Don't let Arthur James kid you about it; he kidded you long enough, he kidded the public long enough.

Another thing, don't shed crocodile tears over the small business men of Pennsylvania. Don't hold up the hands of big business which is snuffing out little business, because a lot of these small business men pay four or five or ten or twenty dollars in mercantile tax a year in Pennsylvania; that isn't going to save little business in Pennsylvania What they need is an equitable tax program. Don't shed crocodile tears, don't cry over the little business man. Save your tears for your Victory garden; it will need it, but don't cry over little business. Little business will take care of itself; big business has to take care of itself. Don't nurse them along and let everyone else go hang. Think of that, Mr. Speaker, when you are thinking about relief to little business men.

On the statement that the Republican party is encouraging and has encouraged business, I didn't want to say that I thought the gentleman's statement sounded like a Department of Commerce blurb, but the Department of Commerce is more or less being let out of the picture. It is going to be shoved over to other departments. There is no need any more for Saturday Evening Post advertisements, no need for paying fat commissions for advertising, with the makeup sheets downstairs. Let us forget about this encouraging business. The best way to encourage business anywhere is to treat your little fellow right, make him happy, give him decent living conditions, let him have a decent wage, take off the yoke of any partisanship. Let us put it this way, relieve the little fellow who works in the shop of any fear of intimidation from big business. Give him his equal rights on the labor front, give him a chance to live right, and he will spend his money in Pennsylvania and help Pennsylvania's business. You can't get away from the facts, big business takes all the money. They have a weekly payroll and they go to the bank, they get everybody's money and they let it out in the payrolls; the little fellow gets it, and in three weeks time the little fellow spends all that money, and the next time the bank lets out a little bit less, because the big boy takes a little off the top. Just think of the little fellow and give him a chance to live. Big business takes care of itself admirably, but let us give the little fellow a break. He wants to be a free man, let him be a free man, but treat him the same as anybody else, when you are thinking of reducing taxes.

I just wanted to say one thing that I neglected to say before, and that is this, that with all your ripping and with all your zipping, with all your plotting and with all your planning to wreck the Democratic organization and to make a shambles of it, just remember one thing, you might break the Democratic organization, but you will never lick the people.

Mr. O'CONNOR. Mr. Speaker, I desire to interrogate the Republican floor leader.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I will, Mr. Speaker.

Mr. O'CONNOR. Mr. Speaker, I desire to ask the gentleman from Lehigh if House Bill 546, Printer's No. 380 does not contain the machinery to raise the money to pay school teachers of Pennsylvania their increase which we voted them some days ago?

Mr. LICHTENWALTER. Not specifically earmarked, Mr. Speaker, for that purpose. The tax that will be collected under this bill will go into the general fund, and of course, the increase to the teachers will have to be paid out of the general fund.

Mr. O'CONNOR. Mr. Speaker, I desire to ask the gentleman if the majority party has any alternative bill or any alternative plan to raise the money for the teachers other than House Bill 546?

Mr. LICHTENWALTER. Not at this time, Mr. Speaker.

Mr. O'CONNOR. I desire further, Mr. Speaker, to ask the gentleman if this bill is defeated, will the Republicans offer another plan of providing the money?

Mr. LICHTENWALTER. I cannot answer that question, Mr. Speaker. As I previously stated, there is no other bill that I know of to take care of that situation.

Mr. O'CONNOR. Further interrogating, Mr. Speaker, to know if it has not appeared in the public press that the money for the teachers is to come out of moneys provided by this bill?

Mr. LICHTENWALTER. I believe I have read that statement in the public press, Mr. Speaker. As I stated before, the money collected under this bill, if it becomes a law, is put into the general fund. It is not earmarked for any particular purpose.

Mr. O'CONNOR. Do I understand the gentleman, Mr. Speaker, to say now that there is no alternative method of raising this money?

Mr. LICHTENWALTER. I believe I stated, Mr. Speaker, before that there was none that I know of.

Mr. O'CONNOR. I thank the gentleman.

Mr. Speaker, it was only a few days ago that every Member of this House present and voting, voted to grant an increase in salaries to the public school teachers of Pennsylvania. Now, to be consistent to avoid double crossing the sixty-three thousand public school teachers in Pennsylvania I am going to vote for this bill, and I think it should tonight, as House Bill 816 had a few days ago, have the unanimous support of this House.

Mr. BRETHERICK. Mr. Speaker, I had not expected that the gentleman from Philadelphia would inject into this tax situation a matter personal to me, but let me say to the gentleman who made those remarks that this slimy performance of staging a filibuster at this, the most critical time in the history of the United States of America, leaves a stench in the nostrils of every service man and the parents of every service man and of every decent citizen in this Commonwealth.

The Democratic party tonight has stooped so low that it must reach up to touch bottom.

Mr. LOVETT. Mr. Speaker, I feel there are a few words I should say on this legislation, due to the fact that I have just come back from a conference held in New York on Friday and Saturday of last week, at which we had at least three Republican Governors and one Democratic Governor on the post-war program.

I haven't taken this up with my party, due to the fact that it has only been a short while since I have been back, but I feel that the Members of this House should know that that conference to my knowledge was working in the interests of states' rights, and if I got rightly the actions of the conference, they were opposed to any tax reduction at this time for anyone. They felt that the post-war program which would come about after the war, that the state governments and the local governments would need all the money they possibly could get to have a successful post-war program.

In the state of Pennsylvania we are reducing some of these taxes; we are eliminating some of the taxes, which it has been stated here was for political purposes, and I think we all agree.

If the states' rights are going to stand, then I say to you the states must share the responsibility of taking care of their people on the post-war program, and I think that conference was right when it said this was not the time to reduce taxes, and we ought to save this money until after the war and use it for a post-war program.

I only say to you that in these taxes which are reduced to those who are best able to pay, gentlemen, that is not proof that the men who are fighting for states rights are willing to accept the responsibility and say to the corporations and the utilities of the state of Pennsylvania that we are willing to stand up and provide the revenue from those best able to pay in order to keep our states rights and take care of the people.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—168

Alspach,
Auker,
Barton,
Bentzel,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Greenwood,
Gross,
Gyger,
Laughner,
Lee,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
Reynolds,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarraf,
Serrill,
Simons,
Smith,
Snider,
Sollenberger,

Cadwalader,
Calvin,
Campbell,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Lane,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Connor,
O'Dare,
O'Neill,
Owens,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wagner, K. H.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Fiss,
Speaker.

NAYS—25

Baker,
Barrett,
Bentley,
Boies,
Boory,
Bradley,
Chudoff,
Dillon,
Duffy,
Finnerty,
Flynn,
Green,
Herman,
Hersch,
Kolankiewicz,
Levy,
Maxwell,
Moran,
O'Brien,
Petrosky,
Schuster,
Tate,
Weiss,
Welsh,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASON FOR VOTE

Mr JOSEPH A. LONGO files the following reason for voting aye.

It is with a hope that the money raised by this bill will pay the salary increase of the teachers of this Commonwealth.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 544, as follows:

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as last reenacted and amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 53) are hereby reenacted and further amended to read as follows

An Act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties

Section 1 Be it enacted &c That this act shall be known and may be cited as the "Cigarette Tax Act"

Section 2 The following words terms and phrases when used in this act shall have the meanings ascribed to them in this section except where the context clearly indicates a different meaning

"Association" Any partnership limited partnership or other form of unincorporated enterprise owned by two or more persons

"Dealer" Any wholesale dealer and in the cases hereinafter prescribed retail dealers The term "wholesale dealer" shall include any person who or which sells within Pennsylvania cigarettes to retail dealers or for purposes of resale or who or which purchases cigarettes directly from any manufacturer for purposes of resale The term "retail dealer" shall include every person other than a wholesale dealer who or which receives from any source whatsoever cigarettes for the purpose of sale to consumers in Pennsylvania or for any other purpose than that of resale whenever the packages of cigarettes so received do not have affixed to them the stamps evidencing the payment of the tax imposed by this act

"Department" The Department of Revenue of this Commonwealth

"Package" The individual package box or other container in or from which retail sales of cigarettes are normally made or intended to be made

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

"Cigarettes" Any roll for smoking made wholly or in part of tobacco irrespective of size or shape and whether or not such tobacco is flavored adulterated or mixed with any other ingredient the wrapper or cover of which is made of paper or any other substance or material excepting tobacco

"Sale" Any transfer for a consideration exchange barter gift offer for sale and distribution in any manner or by any means whatsoever

The singular shall include the plural and the masculine shall include the feminine and the neuter

Section 3 (a) On and after the effective date of this act it shall be unlawful for any person to continue to engage in or thereafter to begin to engage in the sale of cigarettes at wholesale within this Commonwealth or for any person excepting commissaries ship's stores and voluntary unincorporated organizations of the Army or the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy to continue to engage in or thereafter to begin to engage in the sale of cigarettes at retail within this Commonwealth unless a cigarette permit or permits shall have been issued to him as hereinafter prescribed

(b) Every person desiring to continue to engage in or hereafter to begin to engage in the sale of cigarettes at wholesale or retail within this Commonwealth except those persons exempt under section 3 (a) hereof shall file an application for a cigarette permit or permits with the department Every application for a cigarette permit shall be made upon a form prescribed prepared and furnished by the department and shall set forth the name under which the applicant transacts or intends to transact business the location of his place of business within this Commonwealth whether or not the applicant is the holder of a mercantile license in effect when the application is made and if so the number of such licenses and the county for which such license was issued and such other information as the department may require If the applicant has or intends to have more than one place of business within the Commonwealth the application shall state the location of each place of business If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the name and addresses of the principal officer thereof and any other information prescribed by the department for purposes of identification The application shall be signed and verified by oath or affirmation by the owner if a natural person and in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to sign the application to which shall be attached the written evidence of his authority

At the time of making such application the applicant shall pay to the department a permit fee of one dollar ($1.00) for each permit

Upon approval of the application and the payment of the permit fee or fees herein required the department shall grant and issue to each applicant a cigarette permit for each place of business within the Commonwealth set forth in his application Cigarette permits shall not be assignable and shall be valid only for the persons in whose names issued and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued

All permits shall expire on the thirty-first day of December next succeeding the date upon which they are issued unless sooner suspended surrendered or revoked for cause by the department

(c) Permits issued under the provisions of this act may be renewed annually before the first day of January upon application made to the department and the payment of a renewal fee of one dollar ($1.00)

Whenever any permit issued under the provisions of this act is defaced destroyed or lost the department may issue a duplicate permit to the holder of the defaced destroyed or lost permit upon the payment of a fee of fifty cents ($.50)

(d) The department may suspend or after hearing revoke a cigarette permit whenever it finds that the holder thereof has failed to comply with any of the provisions of this act or any rules or regulations of the department prescribed adopted and promulgated under this act Upon suspending or revoking any cigarette permit the department shall request the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him and the holder shall surrender promptly all such permits to the department as requested Whenever the department suspends a cigarette permit it shall notify the holder immediately and afford him a hearing if desired and if a hearing has not already been afforded After such hearing the department shall either rescind its order of suspension or good cause appearing therefor shall continue the suspension or revoke the permit

Section 4 A State excise tax is hereby imposed and assessed upon sales of cigarettes by dealers at the rate of one cent per ten cigarettes or fraction thereof except such sales of cigarettes as are not within the taxing power of this Commonwealth under the commerce clause of the Constitution of the United States and except such sales as are made to authorized purchasers by commissaries ship's stores and voluntary unincorporated organizations of the Army or the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy Provided That only one sale of the same package of cigarettes shall be used in computing the amount of tax due hereunder

Except as hereinafter provided dealers shall be liable to the Commonwealth as taxpayers for the payment of the tax imposed by this act and shall pay the tax into the State Treasury through the department by purchasing from the department adhesive stamps of such design and denominations as may be prescribed by the department

Manufacturers of cigarettes located either within or outside of this Commonwealth and wholesale dealers in cigarettes located outside of this Commonwealth may purchase stamps from the department and affix such stamps in the manner hereinafter prescribed to packages of cigarettes to be sold within this Commonwealth in which case the dealer within this Commonwealth receiving such stamped packages of cigarettes will not be required to purchase and affix stamps on such packages of cigarettes

Section 5 Each dealer shall affix within the time hereinafter prescribed to each package of cigarettes stamps furnished by and purchased from the department evidencing the payment of the tax imposed by this act and shall cancel such stamps before such cigarettes are offered for sale or before they are otherwise disposed of unless stamps have been affixed to such packages of cigarettes before such dealer received them Each wholesale dealer in this Commonwealth shall affix such stamps to each package of cigarettes unless such stamps shall have been previously affixed thereto and shall cancel the same in the manner prescribed by the department prior to the delivery of such packages to any retail dealer in this Commonwealth

Each retail dealer in this Commonwealth except those persons exempt under section 3 (a) hereof shall immediately upon the receipt of any cigarettes at his place of business so affix such stamps to each package of cigarettes unless such stamps shall have been previously affixed thereto and shall cancel the same in the manner prescribed by the department or shall immediately mark in ink on each unopened box carton or other container of such cigarettes the word "received" and the month day and year of such receipt and shall affix his signature thereto The retail dealer shall in any event open such box carton or other container and immediately affix such stamps to each package therein and cancel the same in the manner prescribed by the department within twenty-four hours after such receipt and prior to the sale of such cigarettes

Whenever any cigarettes are found in the place of business of such retail dealer without the stamps affixed and cancelled or not marked as having been received within the preceding twenty-four hours as required by this section the prima facie presumption shall arise that such cigarettes are kept therein in violation of the provisions of this act

Stamps shall be affixed to each package of cigarettes of an aggregate denomination not less than the amount of the tax upon the contents therein and shall be affixed in such manner that they will be visible to the purchaser Upon affixing stamps to a package of cigarettes the person affixing them shall cancel them by such method or in such manner as may be prescribed by the department

Section 6 The department shall prescribe prepare and furnish adhesive stamps of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act The department shall make provisions for the sale of such stamps in such places and at such times as it may deem necessary

The department shall appoint wholesale dealers in cigarettes within this Commonwealth and may appoint any other persons within or without the Commonwealth as agents to affix the stamps to be used in paying the tax herein imposed upon sales of cigarettes but a wholesale dealer shall at all times have the right to appoint the person who is to affix the stamps to any cigarettes under his control and whenever the department shall sell consign or deliver to any such agent any such stamps such agent shall be entitled to receive as compensation for his services and expenses as such agent in affixing such stamps and to retain out of the moneys to be paid by him for such stamps a commission of seven and one-half per centum on the par value thereof if and when such agent has purchased the stamps affixed by him directly from the department The department is hereby authorized and required to allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the State Treasury through the department of any moneys which may be or become due to the Commonwealth by reason of the sale delivery or consignment to such agent of such stamps

Section 7 Every person engaged in the sale of cigarettes at wholesale within this Commonwealth and every person engaged in the sale of cigarettes at retail within this Commonwealth except commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy shall maintain and keep for a period of two years such record or records of cigarettes received sold and delivered within this Commonwealth by him together with invoices bills of lading and other pertinent papers as may be required by the department

The department or any agent appointed in writing by it is hereby authorized to examine the books papers invoices and other records the stock of cigarettes in and upon any premises where the same are placed stored and sold and equipment of any such wholesale or retail dealer pertaining to the sale and delivery of cigarettes taxable under this act to verify the accuracy of the payment of the tax imposed and assessed by this act Every such person is hereby directed and required to give to the Secretary of Revenue or his duly authorized representative the means facilities and opportunity for such examinations as are hereby provided and required

Section 8 The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations relating to

(a) The method and the means to be used in the cancellation of stamps

(b) The denominations and sale of stamps

(c) Any other matter or thing pertaining to the administration and enforcement of the provisions of this act

Section 9 The tax imposed by this act shall be in lieu of the mercantile license tax heretofore imposed upon the business of selling cigarettes

Section 10 Whenever any cigarettes upon which stamps have been placed by a dealer have been sold and shipped by him into another state for sale or use therein or have been sold to commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy for resale to authorized purchasers or have become unfit for use and consumption or unsaleable or have been destroyed such dealer shall be entitled to a refund of the actual amount of tax paid by him with respect to such cigarettes If the department is satisfied that any dealer is entitled to a refund it shall certify the proposed amount of such refund to the Board of Finance and Revenue for approval and thereafter shall issue to such dealer stamps of sufficient value to cover the refund as approved by the board The department is hereby authorized to adopt prescribe and promulgate such rules and regulations with regard to the presentation and proof of claim for refunds as it may deem advisable

The department may promulgate rules and regulations to relieve manufacturers and dealers from affixing the stamps on such cigarettes as are sold and shipped to points outside the Commonwealth for use outside the Commonwealth or on such cigarettes as are sold to commissaries ship's stores and voluntary unincorporated organizations of the Army or of the Navy personnel operating under regulations promulgated by the Secretary of War or the Secretary of the Navy for resale to authorized purchasers

Section 11 Every person other than a common carrier or the employes thereof who shall possess or transport any cigarettes upon the public highways roads or streets of this Commonwealth for the purpose of delivery sale or disposition shall be required to have in his actual possession invoices or delivery tickets for such cigarettes The absence of such invoices or delivery tickets shall be prima facie evidence that such person is a dealer in cigarettes in this Commonwealth and subject to the provisions of this act

Section 12 (a) Any person who shall sell cigarettes without being the holder of a cigarette permit or permits as required by this act shall upon conviction in a summary proceeding be sentenced to pay a fine of twenty-five dollars ($25.00) and costs of prosecution and in default of payment thereof to undergo imprisonment for not more than ten (10) days

(b) Any person who shall sell cigarettes without purchasing and affixing stamps to each package thereof as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1,000.00) or to suffer imprisonment for a term not exceeding six (6) months or both in the discretion of the court and in the case of a conviction of a second or subsequent offense hereunder shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) or more than one thousand dollars ($1,000.00) and to suffer imprisonment for a term not less than six (6) months or more than three (3) years.

(c) Any person who shall fail neglect or refuse to comply with or shall violate the rules and regulations prescribed adopted and promulgated by the department under the provision of this act or who shall refuse to permit the department or any agent appointed by it in writing to examine his books, papers invoices and other records his stock of cigarettes in and upon any premises where the same are prepared stored and sold and his equipment pertaining to the sale of cigarettes taxable under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than five hundred dollars ($500.00) or to suffer imprisonment of not more than six (6) months or both in the discretion of the court.

(d) Any person who falsely or fraudulently makes forges alters or counterfeits any stamp prescribed by the department under the provisions of this act or causes or procures to be falsely or fraudulently made forged altered or counterfeited any such stamp or knowingly and willfully utters publishes passes or tenders as true any such false altered forged or counterfeited stamp or uses more than once any stamp provided for and required by this act for the purpose of evading the tax hereby imposed and assessed shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to suffer imprisonment for a term of not less than two (2) years or more than five (5) years.

Section 13 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 14 This act shall become effective thirty days after its final enactment and shall continue in effect until and including the thirty-first day of May one thousand nine hundred [forty-three] forty-five

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—134

Alspach,
Auker,
Barton,
Bentzel,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brown,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Grant,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Connor,
O'Dare,
Polaski,
Readinger,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—65

Baker,
Barrett,
Bentley,
Boies,
Boory,
Bradley,
Brigerman,
Brunner, P. A.,
Burns,
Chudoff,
Cohen,
Coleman,
Corrigan,
Cullen,
Dillon,
Duffy,
Elliott
Finnerty,
Flynn,
Goodwin,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Neill,
Owens,
Petrosky,
Pettit,
Reese, R. E.,
Regan,
Reynolds,
Rose, S.
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The gentleman from Montgomery, Mr. Wood, has volunteered to read this bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 545, as follows:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a furtheir limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 60) is hereby further amended to read as follows

Section 4 Imposition of Tax Exemptions and Deductions A permanent State tax of three cents a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within this Commonwealth excepting liquid fuels delivered to the United States Government on presentation of a duly authorized United States Government exemption certificate or other evidence satisfactory to the department and such liquid fuels used or sold and delivered as are not within the taxing power of this Commonwealth under the Commerce Clause of the Constitution of the United States Provided That the tax herein imposed and assessed shall be collected by and paid to the Commonwealth but once in respect to any liquid fuels

In addition to such tax an additional emergency State tax of one cent a gallon or fractional part thereof is hereby imposed and assessed upon all liquid fuels used or sold and delivered by distributors within ths Commonwealth for the period beginning on the day this act becomes effective and ending on the thirty-first day of May one thousand nine hundred and [forty-three] forty-five.

Distributors shall be liable to the Commonwealth for the collection and payment of the tax imposed by this act The tax imposed by this act shall be collected by the distributor at the time the liquid fuels are used or sold and delivered by the distributor and shall be borne by the consumer

The tax shall be payable upon liquid fuels sold and delivered to or used by the Commonwealth and every political subdivision thereof

The department shall allow such handling and storage losses of liquid fuels as are substantiated to its satisfaction

Section 2 This act shall become effective immediately upon its final enactment

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(Following the reading of the bill by Mr. L. H. Wood).

Mr. MODELL. Mr. Speaker, it was my understanding that this bill was not agreed to and it was further my understanding that this bill was not read by the clerk, and it was further my understanding that the bill was not read at all and I ask Mr. Speaker, whether in your opinion this bill was read properly before this House.

The SPEAKER. The bill was read at length in accordance with the provisions of the Constitution.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. BROWN. Mr. Speaker, are we seriously now considering this bill?

The SPEAKER. The Chair has nothing more to add to what he has already said to the gentleman from Allegheny than the gentleman from Montgomery, Mr. Wood, offered voluntarily to read the bill at length and relieve the reading clerk. We are reading bills at length according to the provisions of the Constitution.

QUESTION OF INFORMATION

Mr. BROWN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state his question of information.

Mr. BROWN. Was the gentleman from Montgomery sworn in as a clerk of this House, Mr. Speaker.

The SPEAKER. The gentleman from Montgomery was not sworn as a clerk of this House. The Chair announced that the gentleman from Montgomery volunteered to aid the reading clerk.

Mr. BROWN. Does the Speaker then rule, and I imagine his ruling is for the record, that a Member of this House, not sworn as an employe of this House, may assume the duties of an employe of this House, notwithstanding the fact that he is sworn in only as a Member of the House?

The SPEAKER. The Chair would inform the gentleman from Allegheny that the rules of the House do not require a special reading clerk, and it has happened before that others have aided the clerk in reading. There is nothing in the rules that would prohibit any Member of this House from aiding the reading clerks.

Mr. BROWN. A further question, Mr. Speaker, why do we swear the employes for the performance of their duties, and why are we sworn for the performance of our duties?

The SPEAKER. The Chair is of the opinion that since there is no rule that requires a special person for reading the bills, that certainly a Member of this House would be qualified as a reading clerk.

Mr. BROWN. Mr. Speaker, I shall not ask for an appeal from the ruling of the Chair. I think, Mr. Speaker, and I am certain that you agree with me that we ought to hide our faces in shame here tonight.

Mr. Speaker, this is the last citadel of democratic government left in the world tonight, and we should, as a part of that government tonight, be hanging our faces in shame. We will soon celebrate the anniversary of Thomas Jefferson, and I understand that festivities in this House will take place on that occasion. If I am not mistaken it was Thomas Jefferson who said that the Constitution was made for the living and not for the dead. This will be a sad record for the living to review. and I regret that at this moment I am a Member of this House. The legislative branch of the government, particularly the House of Representatives was the original forum that ushered into our country a constitutional form of government. It has always been and is today that branch of the government closest to the people. It takes its name as the House of Representatives because of that fact, and if the people of Pennsylvania could see us tonight and could hear us tonight making a mockery of the democratic form of government that we swore by our uplifted hands to obey, uphold and defend, we would be weighed in the balance and be found wanting.

I don't know what can be done to bring back order, some semblance of decorum, some judgment, some decency in this House of Representatives, and I know in my feeble way I cannot do it. The only thing I can do to appeal to every Member here, Republican and Democrat alike as well as to the Speaker of this House, that if we cannot do things in an orderly, dignified way, let us be honest enough with ourselves and with our people—let us quit and go home.

The SPEAKER. The Chair thinks we have come to the point where possibly every Member of the House should be more serious. The Chair agrees implicitly with the gentleman from Allegheny, but with all the Chair's efforts to maintain order, order does not seem to have been maintained.

The Chair in good faith accepted the voluntary suggestion of the gentleman from Montgomery to read the bill. With that thought in mind he read the bill. We thought he had that in mind. The Chair does not know whether the gentleman read every word or not, any more than the gentleman from Allegheny does, but the Chair would admonish the Members of this House that after all the things that we do here this day will live for many, many years to come.

Mr. WALTER E. ROSE. Mr. Speaker, I join with the gentleman from Allegheny Mr. Brown, in his feelings as to the conduct of the House this evening. I agreed with him when he made his earlier remarks. I hope that his objection to the reading by a Member of this House of a bill was not more seriously made nor more earnestly given than his previous objections, but in his remarks in which the Republican party joins, deploring as he does, the conduct which has been made necessary by the request from the other side without warning, and in order that the record may be kept straight, I request that the bill be read again, and by the Reading Clerk.

Mr. CORRIGAN. Mr. Speaker, I want to add to the remarks of the gentleman from Allegheny that the one time I asked for the floor it was on a point of order concerning this very thing that the gentleman from Cambria has spoken about. I did not try to make a sham of this thing; I was serious. The only thing that the Members on this side of the House wanted was silence from the Members of the majority and that the Clerk read the bills louder and clearer. I say to you, Mr. Speaker, if you had given one of the Members the floor instead of knocking him down, you would not have had this spectacle that you had here tonight.

The SPEAKER. The bill will be read the second time by the Reading Clerk.

The bill was read a second time by the Clerk.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—127

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
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alski,
pps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Connor,
O'Dare,
Polaski,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—70

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brunner, P. A.,
Burns,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Flynn,
Gates
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
McKinney,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Neill,
Owens,
Petrosky,
Pettit,
Powers,
Reese, R. E.,
Regan,
Reynolds,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

LEAVE OF ABSENCE REQUESTED

Mr. COHEN. Mr. Speaker, if there is no objection I should like to ask leave of absence for the balance of tonight's session for the gentleman from Fulton, Mr. HARRIS, due to illness.

The SPEAKER. There is nothing in order except the special order of business.

Mr. COHEN. I will renew my request after the special order of business.

SPECIAL ORDER ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 547, as follows:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stcok associations copartnerships and persons and by further defining the gross receipts tax liability of companies limited partnerships associations joint stock associations copartnerships and persons engaged in the sale of electric energy

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-three of the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 72) is hereby further amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company and every other company association, joint-stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Common wealth and every copartnership person or persons owning operating or leasing to or from another corporation company association joint-stock association limited partnership copartnership person or persons any railroad pipe line conduit steamboat canal slack water navigation or other device for the transportation of freight passengers baggage or oil except taxicabs motor busses and motor omnibuses and every limited partnership association joint-stock association corporation or company engaged in or hereafter engaged in the transportation of freight or oil within this State and every telephone company telegraph company express company electric light company waterpower company hydro-electric company palace car company and sleeping car company now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign and every limited partnership association joint-stock association copartnership person or persons engaged in telephone telegraph express electric light and power waterpower hydro-electric palace car or sleeping car business in this Commonwealth shall pay to the State Treasurer through the Department of Revenue a tax of fourteen mills for the six months' periods ending June thirtieth one thousand nine hundred thirty-five December thirty-first on thousand nine hundred thirty-five and June thirtieth one thousand nine hundred thirty-six and twenty mills for the six months' periods ending December thirty-first one thousand nine hundred thirty-six June thirtieth and December thirty-first one thousand nine hundred thirty-seven June thirtieth and December thirty-first one thousand nine hundred thirty-eight June thirtieth and December thirty-first one thousand nine hundred thirty-nine June thirtieth and December thirty-first one thousand nine hundred forty June thirtieth and December thirty-first one thousand nine hundred forty-one [and] June thirtieth and December thirty-first one thousand nine hundred forty-two and June thirtieth and December thirty-first one thousand nine hundred forty-three and fourteen mills for the six months' period ending June thirtieth and December thirty-first one thousand nine hundred and forty-four and eight mills thereafter upon the dollar of the gross receipts of said corporation company or association limited partnership joint-stock association copartnership person or persons received from passengers baggage and freight transported wholly within this Etate from telegraph or telephone messages transmitted wholly within the State from express palace car or sleeping car business done wholly within this State or from electric light and power water-power and hydro-electric business except gross receipts derived from sales for resale of electric energy to persons partnerships associations corporations or political subdivisions subject to the tax imposed by this act upon gross receipts derived from such resale and from the transportation of oil done wholly within the State The said tax shall be paid within the time prescribed by law for the payment of taxes settled by the Department of Revenue and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company copartnership limited partnership association joint-stock association or corporation or person or persons to transmit to the Department of Revenue on or before the first days of February and August of each year a statement under oath or affirmation of the amount of gross receipts of the said companies copartnerships corporations associations joint-stock associations limited partnerships person or persons derived from all sources and of gross receipts from business done wholly within the State during the period of six months immediately preceding the first days of January and July of each year The time for filing reports may be extended estimated settlements may be made by the Department of Revenue if reports are not filed and the penalties for failing to file reports and pay the tax shall be as prescribed by the laws defining the powers and duties of the Department of Revenue Provided That in any case where the works of any corporation company copartnership association joint-stock association limited partnership person or persons are operated by another corporation company copartnership association joint-stock association limited partnership person or persons the taxes imposed by this section shall be apportioned between the said corporations companies copartnerships associations joint-stock associations limited partnerships person or persons in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company copartnership association joint-stock association limited partnership person or persons operating the works and upon payment by the said company corporation copartnership association joint-stock association limited partnership person or persons of a tax upon the receipts as herein provided derived from the operation thereof no other corporation company copartnership association joint-stock association limited partnership person or persons shall be held liable under this section for any tax upon the proportion of said receipts received by said corporation company copartnership association joint stock association limited partnership person or persons for the use of said works

This act shall be construed to apply to municipalities and to impose a tax upon the gross receipts derived from any municipality owned and operated public utility or from any public utility service furnished by any municipality to the extent of such gross receipts as are derived from business done outside the limits of the municipality operating the public utility service

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—128

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brown,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—68

Baker,
Barrett,
Bentley,
Boies,
Boory,
Bradley,
Brigerman,
Brunner, P. A.,
Burns,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Denman,
Dillon,
Duffy,
Elliott,
Finnerty,
Flynn,
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Regan,
Reynolds,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Wright,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No 548, as follows:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as last reenacted and amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 77) are hereby reenacted and further amended to read as follows

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

Section 1 Be it enacted &c That the following words terms and phrases used in this act are for the purposes hereof defined as follows

"Liquor" Any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic and all drinks or drinkable liquids preparations or mixtures intended for beverage purposes which contain more than one-half of one per centum of alcohol by volume except alcohol and malt or brewed beverages

"Department" The Department of Revenue of this Commonwealth

"Board" The Pennsylvania Liquor Control Board of this Commonwealth

"Fiscal Month" The monthly period established from time to time by the Pennsylvania Liquor Control Board for the purpose of conducting its business

Section 2 Until the first day of June one thousand nine hundred [forty-three] forty-five an emergency State tax is hereby imposed and assessed at the rate of ten per centum of the net price of all liquors sold by the board The tax herein imposed shall be collected by the board from the purchasers of the liquor from the board The amount of such ten per centum so collected by the board under the provisions of this act shall be paid into the State Treasury through the department in the manner and within the times herein specified and shall be credited to the General Fund

Section 3 It shall be the duty of the board to transmit to the department on or before the fifteenth day of each calendar month a statement of its receipts from sales of liquor and taxes collected during the preceding fiscal month and such other information as may be necessary to effectuate the provisions of this act at which time it shall also be the duty of the board to pay to the department the tax imposed upon such liquor by the provisions of this act Provided however That the board may in its discretion add the tax imposed by this act to the wholesale and retail price at which liquors are sold and eliminate any accounting of such tax separate from sale prices and in such case the amount of the tax for any calendar month shall be ascertained by dividing the entire gross receipts derived from sales at Pennsylvania liquor stores during such month by eleven and the quotient thus obtained shall be deemed the amount of the tax for such month payable over under this section

Section 4 This act shall become effective immediately upon its final enactment

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—131

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brown,
Brunner, C. H.,
Burns,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Readinger,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner. P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—69

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brunner, P. A.,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Flynn,
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Reese, R. E.,
Regan,
Reynolds,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmatve, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1056, as follows:

An Act abolishing the entire Mercantile License Tax System repealing the various license taxes under said system except as to taxes already due abolishing certain offices and employments providing for the collection of delinquent taxes providing for the final settlement of accounts between the Commonwealth and county treasurers and making certain repeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subject to the provisions of this act the Mercantile License Tax System is hereby abolished in its entirety as of the first day of January one thousand nine hundred forty-four The current license year beginning on the first day of May one thousand nine hundred forty-three shall terminate on the thirty-first day of December one thousand nine hundred forty-three but no taxpayer shall be entitled to any refund as a result of such curtailment of the license year

Section 2 In the case of any license tax under the Mercantile License Tax System which may be apportioned where persons begin business after the beginning of the license year such tax in so far as the year one thousand nine hundred forty-three is concerned shall be apportioned on the basis of the license year beginning on the first day of May one thousand nine hundred forty-three and ending on the thirty-first day of December one thousand nine hundred forty-three

Section 3 (a) The terms of all Mercantile Appraisers shall terminate absolutely on the thirty-first day of December one thousand nine hundred forty-three and such offices are hereby abolished as of that date On or before said date all records pertaining to the work of Mercantile Appraisers under the Mercantile License Tax System shall be turned over by them to the county treasurers of their respective counties who are hereby authorizd to use the same for the purpose of collecting outstanding delinquent taxes in such counties All equipment unused postage stationery and other supplies previously furnished to such appraisers or their clerks assistants or other employes at State expense for the performance of their work under the Mercantile License Tax System shall be turned over by them to the Department of Revenue on or before said date

(b) The employment of all clerks assistants and other employes appointed to assist Mercantile Appraisers in the performance of their work shall terminate on the thirty-first day of July one thousand nine hundred forty-three and such employments are hereby abolished as of that date On or before said date all records equipment unused postage stationery and other supplies previously furnished such clerks assistants and other employes at State expense shall be turned over by them to their respective Mercantile Appraisers

(c) The Department of Revenue is hereby empowered to prescribe rules and regulations for the transfer of such records equipment unused postage stationery and other supplies

(d) On or after the first day of August one thousand nine hundred forty-three the Department of Revenue is hereby authorized to furnish the Mercantile Appraisers with such clerical assistance if any as the department may deem necessary to enable such appraisers to perform their work during the remainder of the year one thousand nine hundred forty-three

Section 4 On and after the first day of January one thousand nine hundred forty-four the county treasurers of the various counties shall continue to collect delinquent taxes owing the Commonwealth under the Mercantile License Tax System until such taxes are either collected or the county treasurers are exonerated with respect to any such taxes On the first Monday of January one thousand nine hundred forty-four and the first Monday of each month thereafter it shall be the duty of each county treasurer to continue to make monthly returns of any tax moneys received or collected by them under the Mercantile License System until all outstanding delinquent accounts have either been collected or exonerations have been granted with respect thereto If at any time after the first day of January one thousand nine hundred forty-four the Department of Revenue shall believe the best interests of the Commonwealth would be subserved by so doing the department with the approval of the Governor is hereby empowered to discontinue the collection of delinquent taxes under the Mercantile License Tax system by the various county treasurers and thereafter to collect such delinquent taxes directly with the assistance of the Department of Justice

Section 5 (a) Subject to the provisions of paragraph (c) of this section the following acts imposing license taxes under the Mercantile License Tax System are hereby repealed

The act approved the twenty-sixth day of June one thousand eight hundred seventy-three (P. L. 1874 332) entitled "An act to regulate the commission or license fee to be paid by auctioneers" and its amendments

The act approved the second day of May one thousand eight hundred ninety-nine (P. L. 184) entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax" and its amendments

The act approved the twenty-fifth day of April one thousand nine hundred seven (P. L. 117) entitled "An act to equalize taxation of restaurants eating-houses and cafes" and its amendments

The act approved the seventh day of May one thousand nine hundred seven (P. L. 175) entitled "An act to provide revenue by imposing a license-tax on all stock brokers bill brokers note brokers exchange brokers merchandise brokers factors or commission merchants real estate brokers and agents and pawnbrokers whether persons firms, limited partnerships or corporations providing for the collection of said tax and imposing certain duties on county treasurers and mercantile appraisers" and its amendments

The act approved the twenty-fifth day of May one thousand nine hundred seven (P. L. 244) entitled "An act to provide revenue by imposing a license-tax on the keepers of all shooting-galleries shuffle-board-rooms billiard or pool-rooms for purpose of profit or any other place in which any game is played on a table with the use of balls and cues and bowling-alleys ninepin-alleys tenpin-alleys or other alleys or places in which any game is played with the use of balls or pins or other objects providing for the collection of said tax and imposing certain duties upon mercantile appraisers and county treasurers"

An act approved the twentieth day of May one thousand nine hundred thirteen (P. L. 229) entitled "An act defining and regulating public amusements and places used therefor and regulating the licensing thereof restricting the scope of certain acts of Assembly relating thereto and providing penalties for violation of this act" and its amendments

(b) The following acts or parts of acts relating to the mercantile license tax system are hereby repealed

Sections 8 and 9 of the act approved the fifteenth day of April one thousand eight hundred fifty (Pamphlet Laws 471) entitled "An act supplementary to an act entitled 'An Act to incorporate the borough of Girard in the county of Erie' and to authorize the borough of Erie to borrow money and to encourage agriculture and the mechanic arts in Erie county and relative to the election of assistant wardens of the port of Philadelphia to county treasurers and delinquent inn-keepers"

The act approved the eleventh day of April one thousand eight hundred sixty-two (P. L. 492) entitled "An act amendatory of the License Laws of this State"

The act approved the twenty-seventh day of February one thousand eight hundred sixty-five (P. L. 4) entitled "An act to increase the fees of mercantile appraisers in certain counties of this commonwealth"

The act approved the thirteenth day of April one thousand eight hundred sixty-six (P. L. 104) entitled "An act for the further classification and more efficient collection of licenses from venders of merchandize"

The act approved the sixteenth day of March one thousand eight hundred sixty-seven (P. L. 482) entitled "An act allowing to the mercantile appraisers of Allegheny county the same fees allowed in other counties of the State"

The act approved the twentieth day of April one thousand eight hundred eighty-seven (P. L. 60) entitled "An act providing for the appointment of the appraiser of mercantile and other licenses and authorizing and requiring the publication of the same"

The act approved the eighth day of May one thousand nine hundred nineteen (P. L. 159) entitled "A supplement to an act approved the second day of May one thousand eight hundred and ninety-nine (P. L. 184) entitled 'An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods wares and merchandise and providing for the collection of said tax' providing for the appointment of and the fixing of salaries of mercantile appraisers and clerks in certain counties and providing for the disposition of moneys collected as fees for mercantile appraisers and authorizing the mercantile appraisers of such counties instead of the county commissioners to have supervision of the publication of the mercantile appraisers' lists"

The act approved the seventeenth day of July one thousand nine hundred nineteen (P. L. 1025) entitled "A supplement to an act approved the second day of May one thousand eight hundred and ninety-nine (P. L. 184) entitled 'An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax" and its amendments

Sections four hunder six six hundred nine six hundred ten and one thousand two hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth"

(c) The acts enumerated in paragraph (a) of this section shall continue to be in full force and effect for the purpose of enabling the Commonwealth to collect any taxes which became due and payable thereunder prior to the first day of January one thousand nine hundred forty-four and the repeal of any of such acts by this act shall not be deemed to affect any pending proceedings or to prevent the institution of any proceedings for the collection of any such taxes

Section 6 Sections one two three and four of this act shall become effective immediately upon the final enactment of this act and section five shall become effective on the first day of January one thousand nine hundred forty-four Provided however That on and after the first day of August one thousand nine hundred forty-three neither the Auditor General nor the appraisers with the approval of the Auditor General shall have power to appoint any clerks or assistants to assist mercantile appraisers in their work.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Contitution the yeas and nays were taken.

Messrs Moran, O'Brien and Samuel Rose asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—128

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brown,
Brunner, C. H.,
Cadwalader,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Krepps,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Connor,
O'Dare,
Petrosky,
Polaski,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—66

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brunner, P. A.,
Burns,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Dillon,
Duffy,
Elliott.
Finnerty,
Flynn,
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Lovett,
Maxwell,
Mooney,
Moran,
Munley,
O'Brien,
O'Neill,
Owens,
Pettit
Powers,
Readinger,
Reese, R. E.,
Regan,
Reynolds,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson
Trent,
Verona,
Weiss,
Welsh,
Wright,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

(During the verification of the roll).

Mr. BENTLEY. Mr. Speaker, during the verification of the roll, I ask that the Sergeants-at-arms be placed at the doors and that no one be allowed to enter.

POINT OF ORDER

Mr. WALTER E. ROSE. Mr. Speaker I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. WALTER E. ROSE. Mr. Speaker, I submit that a Member cannot be excluded from the House.

The SPEAKER. The point or order is well taken, because any Member of the House has the constitutional right to come into the House at any time.

ADJOURNMENT

Mr. LLOYD H. WOOD. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 13, 1943, at 1 p. m.

The motion was agreed to, and (at 1:50 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

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Vol. 27. HARRISBURG, PA., TUESDAY, APRIL 13, 1943. No. 41.

SENATE

TUESDAY, April 13, 1943.

The Senate met at 6:00 o'clock, a. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the Senator from Butler, Mr. CARR.

We bow before Thee this morning, our Heavenly Father, with gratitude in our hearts that Thou hast given us a place in which to work, that Thou hast given us a knowledge of Thee and Thy will for us in this Thy kingdom.

We would ask that Thy blessing might rest upon us and upon all Thy laborers everywhere throughout the world. Grant that the leadership of Thy Son may be the leadership of our hearts. Guide and guard and protect us in all things, to the honor and glory of Thy name.

Bless this nation of which we are a part and those who are engaged with us in our great struggle for freedom. Help us so that we may do only that which is Thy will in our lives. We ask it in the name of Thy Son. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. SCARLETT the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. TAYLOR on account of illness.

He also asked and obtained leave of absence for Mr. ZIESENHEIM.

Mr. Deitrick asked and obtained leave of absence for Mr. CHAPMAN, who is attending to official Senate business.

BILLS INTRODUCED AND REFERRED

Mr. JONES read in his place and presented to the Chair Senate Bill No. 554, entitled:

An Act to amend sections two, five, seven, ten, eleven, twelve, seventeen, nineteen, twenty-one, twenty-two, twenty-six and thirty-one, and to repeal sections nine, thirteen, fourteen, fifteen, twenty-four and thirty-six of the act approved the sixth day of August, one thousand nine hundred forty-one (Pamphlet Laws, eight hundred sixty-one) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; establishing the 'Pennsylvania Board of Parole'; conferring and defining its jurisdiction, duties, powers and functions, including the supervision of persons placed upon probation in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employes; dividing the Commonwealth into administrative districts for purposes of parole; fixing the salaries of members of the board and of certain other officers and employes thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," by reducing the membership of said board; further conferring, revising and defining its jurisdiction, duties, powers and functions; changing the appointment, removal and discharge of its officers, clerks and employes; decreasing the salaries of members of the board; and fixing the salaries of certain officers and employes, and creating an advisory committee.

Which was committed to the Committee on Judiciary General.

Mr. HOLLAND read in his place and presented to the Chair Senate Bill No. 555, entitled:

An Act providing for the establishment of a Bureau of Health Clinics in the Department of Health, with a Director of Health Clinics in charge thereof, defining the powers and duties thereof, and providing for the establishment of local health clinics throughout the Commonwealth, and making an appropriation.

Which was committed to the Committee on Public Health.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 112, on concurrence in House amendments entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act.

go over in its order.

The PRESIDENT. Is there objection?

Mr. COX. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Heyburn.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. COX. Will the gentleman from Delaware tell me the purpose in having Senate Bill No. 112 go over in order?

Mr. HEYBURN. Mr. President, if the gentleman from Allegheny, Mr. Barr, is going to insist on his silly notion of reading all bills at length, it will be necessary for us to pass over a lot of bills in order to get absolutely necessary legislation passed that must be passed to prevent a breakdown of government in the state.

If the gentleman from Allegheny, Mr. Barr, is willing to recede from his ridiculous position we can go ahead here and proceed with our business, but if the gentleman is going to insist that bills be read at length, we are going to run up a bill which the taxpayers will have to pay which might run into hundreds of thousands of dollars.

Therefore, Mr. President, the only thing we can do is to pick out the most important legislation here and have it read at length.

Mr. COX. Mr. President, I would like to further interrogate the gentleman from Delaware.

The PRESIDENT. Will the gentleman from Delaware permit himself to be further interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. COX. Will the gentleman from Delaware tell me if it is the intention of the Republican majority of this Senate that all Democratic sponsored bills go over in order?

Mr. HEYBURN. I could not hear the gentleman, Mr. President.

Mr. COX. Mr. President, will the gentleman from Delaware tell me if it the intention of the Republican majority in this Senate to have all Democratic bills go over in order or be recommitted to committee.

Mr. HEYBURN. No, not necessarily, Mr. President, but there is some question about this bill. We fully expected, of course, to hold a Republican Caucus today on this matter. Down in Caucus yesterday, in discussing this request by Senator Barr that all bills be read at length, the members said all this talk of Senator Barr requesting that these bills be read at length was perfectly ridiculous, and naturally we thought he would not go through with it and so we fully expected to be able to caucus on this bill today at one o'clock, at our regular caucus. However, we have not yet had a chance to hold a caucus on this bill.

Mr. COX. Thank you.

Mr. BARR. Mr. President, I want to notify the Chair that I am going to insist that Article 3, Section 4 of the Constitution be carried out. I also want to remind the gentleman from Delaware, Senator Heyburn, that I noticed that another bill was introduced in the House last night paying off an election debt of last year, exemption of the manufacturers' stock tax.

Mr. HOLLAND. Mr. President, I am very much surprised to hear the gentleman from Delaware speak about the cost of this session. I have listened in the years of depression to Republican orators talking about boondoggling on the W. P. A.; I have heard Republican orators speak about the extreme cost of those projects. Of course, we knew that they were attacking men placed on relief on W. P. A. by the false economy practiced by Republican Presidents in the years that went before but to have a Senator in this Senate speak about cost at this time—

POINT OF ORDER

Mr. HEYBURN. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Delaware will state his point of order.

Mr. HEYBURN. Mr. President, there is no W. P. A. legislation now before the Senate. Might I suggest that the gentleman from Allegheny is speaking out of order.

Mr. HOLLAND. Mr. President, I rise on a matter of personal privilege.

The PRESIDENT. There is a point of order before the Senate. Will the gentleman from Allegheny wait until the Chair has ruled.

Mr. HOLLAND. I will, Mr. President.

The PRESIDENT. There is a request that Senate Bill No. 112 go over in order. The Chair is of the opinion that Senators should confine themselves to the matter before the Senate.

The Chair now recognizes the gentleman from Allegheny, Senator Holland.

PERSONAL PRIVILEGE

Mr. HOLLAND. Mr. President, I rise on a point of personal privilege.

The PRESIDENT. The gentleman from Allegheny will state his point of personal privilege.

Mr. HOLLAND. Mr. President, the Senator from Delaware just stated—

Mr. WATKINS. Mr. President—

The PRESIDENT. The Senator from Allegheny, Mr. Holland, had the floor.

POINT OF ORDER

Mr. WATKINS. Mr. President, I rise on a point of order. The gentleman from Allegheny has not stated his question of personal privilege. I want to hear his question of personal privilege.

The PRESIDENT. The gentleman from Allegheny has not stated anything yet. Therefore, the Chair suggests that the gentleman from Allegheny still has the floor.

Mr. HOLLAND. The gentleman from Delaware, Mr. Heyburn, made a statement attacking me as a Democratic member of this Senate, when he spoke about costs of government in the carrying on of this session and I demand my rights to answer the gentleman from Delaware.

Mr. WATKINS. Mr. President, I did not hear the name of the gentleman from Allegheny, Mr. Holland, mentioned by the gentleman from Delaware, and under the rules no question of personal privilege has so far been stated by the gentleman from Allegheny and therefore I raise that point of order.

The PRESIDENT. The Chair sustains the point of order raised by the gentleman from Schuylkill, Mr. Watkins.

APPEAL FROM DECISION OF THE CHAIR

Mr. HOLLAND. Mr. President, I appeal from the decision of the Chair.

(The appeal, in writing, from decision of the Chair was as follows:)

Mr. President:

I appeal from the decision of the Chair.

Elmer J. Holland
Joseph M. Barr
J. K. McQuiddy
John H. Dent

PERMISSION ASKED TO WITHDRAW APPEAL

Mr. HOLLAND. Mr. President, I submit to the gag and ask permission to withdraw my appeal.

OBJECTION TO WITHDRAWAL OF APPEAL

Mr. WATKINS. Mr. President, I object to withdrawal of the appeal and I object to the statement that it is a gag. The only reason the point of order was raised was because it has been stated that the rules of the Senate must be enforced. The Senator from Allegheny, Mr. Barr, is asking that the exact letter of the Constitution be observed in reading bills at length. There certainly is no gag because under the proper order of business the Senator from Allegheny, Mr. Holland, can have all the time he wants to talk about W.P.A. or anything else he wants to talk about.

The PRESIDENT. Since this question involves the Chair, the Chair is going to retire from the Rostrum and ask the President Pro Tempore to take the Chair and pass upon the question raised by the Senator from Schuylkill as to whether the Senator from Allegheny, Mr. Holland, may withdraw his appeal.

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

The PRESIDENT PRO TEMPORE. The Chair understands that the question before the Senate is whether the gentleman from Allegheny, Mr. Holland, may withdraw his appeal from a decision by the Chair.

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I therefore rise to a point of order on that question.

The PRESIDENT PRO TEMPORE. The gentleman from Philadelphia will state his point of order.

Mr. SHAPIRO. Mr. President, according to the rules an appeal from a decision of the Chair must be in writing, and since there was no appeal in writing before the Senate at that time there is no appeal and there is no necessity for withdrawing it.

The PRESIDENT PRO TEMPORE. The attention of the Chair has been called to the fact that there is an appeal in writing.

However, the gentleman from Allegheny, Senator Holland, has asked permission to withdraw his appeal and the Chair rules that he may do so.

POINT OF INFORMATION

Mr. WATKINS. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Schuylkill will state his point of information.

Mr. WATKINS. May I inquire, Mr. President, as to who signed the appeal.

The PRESIDENT PRO TEMPORE. The appeal is signed by

Mr. COLEMAN. I submit, Mr. President, that there is nothing in order excepting the reading of bills on the Calendar. The gentleman has asked permission to withdraw the appeal and I do not think there is any point in reading the names of the gentlemen who signed the appeal.

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny, Mr. Holland, has asked permission to withdraw his appeal, which was also signed by Senator Barr, Senator McQuiddy and Senator Dent.

Do the other Senators who signed the appeal consent to the appeal being withdrawn?

(Assent to withdrawal of the appeal was given by the four mentioned Senators by a raising of hands.)

APPEAL WITHDRAWN

The PRESIDENT PRO TEMPORE. The request of the gentleman from Allegheny, Mr. Holland, is allowed and the appeal is withdrawn.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

BILL OVER IN ORDER

The PRESIDENT. The order of business before the Senate is that unanimous consent has been asked that Senate Bill No. 112 go over in order. Is there any further objection? The Chair hears none. It is agreed to.

BILL ON FINAL PASSAGE

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, in absence of the sponsor, I ask unanimous consent that Senate Bill No. 71, on final passage entitled:

A Joint Resolution proposing an amendment to section four, article two of the Constitution of the Commonwealth of Pennsylvania, providing for annual sessions of the General Assembly, salary of members and an annual general appropriations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 18, on third reading, entitled:

An Act relating to parole; abolishing the Pennsylvania Board of Parole; reestablishing the jurisdiction, powers and duties of the courts and of the Board of Pardons with respect to parole; and authorizing the employment by the Attorney General of a Supervisor of Paroles and field agents

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COX. Mr. President, I would like the record to show that I am in accord with the request that Senate Bill No. 18 go over in its order.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 25, on third reading, entitled:

An Act making an appropriation to the Monongahela Memorial Hospital Association of Monongahela City, Pennsylvania.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

REMARKS EXPUNGED FROM JOURNAL

(Note: Debate expunged by the following motion.)

Mr. HEYBURN. Mr. President, I move that all remarks following consideration of Senate Bill No. 25 be physically expunged from the Journal.

Mr. BARR. I second the motion, Mr. President.

Mr. WADE. I second the motion, Mr. President.

Mr. WATKINS. I second the motion, Mr. President.

It was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 131, entitled:

An Act to amend section five of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act" eliminating the exception of armory buildings owned by the Commonwealth and under the supervision of the Armory Board from the provisions of said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act" is hereby amended to read as follows

Section 5 Whenever loss or damage by fire or other casualty shall occur to any structure building equipment or other property owned by the Commonwealth of Pennsylvania the department board of trustees overseers commissioners or other branch of the State government having control or custody thereof shall make report of such loss or damage to the Superintendent of Public Grounds and Buildings setting forth specifically the use and character of the structure building equipment or other property damaged or destroyed the original cost thereof the estimated amount of the loss or damage and cost of restoration rebuilding or replacement and such other data and information as may be required by the said Superintendent of Public Grounds and Buildings who shall make such examination and investigation as may be necessary and report the result thereof to the Board of Commissioners of Public Grounds and Buildings whereupon the Board of Commissioners of Public Grounds and Buildings may in its discretion authorize the rebuilding restoration or replacement of the property damaged or destroyed and for that purpose is hereby authorized to have plans and specifications prepared and contracts executed and to supervise the erection construction or replacement thereof under the supervision of the Superintendent of Public Grounds and Buildings or other duly authorized agent of the Board of Public Grounds and Buildings such rebuilding restoration or replacement to be in substantial accord with the original character use and purpose of the property damaged or destroyed [Provided That the provisions of this act shall not apply to armory buildings owned by the Commonwealth of Pennsylvania and under the supervision of the Armory Board of the State of Pennsylvania]

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 177, on third reading, entitled:

An Act to amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for the payment of contributions by employers in accordance with an experience rating system; and providing for and regulating such experience rating system and the terms and procedure to effectuate the same.

go over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 261, entitled:

An Act to amend section one of the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 826) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land" by correcting the location of the plot of land described in paragraph Fourteen and providing for the sale of certain additional plots of land

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph Fourteen of section one of the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 826) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey certain plots of land" is hereby amended to read as follows

Fourteen In [Washington] Canton Township Washington County One plot of land containing .551 acres located in [the city of Washington] Canton Township Washington County facing Oakland and Ohio Avenues

Section 2 Section one of the said act is hereby further amended by adding immediately after paragraph Nineteen paragraphs to be known as Twenty Twenty-one and Twenty-two and to read as follows

Twenty In St Marys Elk County One plot of land containing 0.3903 acres located in St. Marys Borough facing Atlantic Street on the North side

Twenty-one In Coudersport Potter County One plot of land containing 0.6615 acres located in Coudersport Borough facing Locust Street on the North side and Vine Street on the West side

Twenty-two In Upper Providence Township Delaware County One plot of land containing 0.839 acres located on and facing Providence Road (Legislative Route 144) on the West side approximately one and one-half (1½) miles North of Media Borough

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, I just want to call attention of the Senate to the fact that with all of the talk and hullabaloo, I have timed the last two bills read at length; one took two minutes and the other three minutes. Certainly that is not taking too much of our time for the reading of important legislation.

PERMISSION TO ADDRESS SENATE

Mr. WATKINS asked and obtained permission to address the Senate.

Mr. WATKINS. Mr. President, does the gentleman from Westmoreland mean that he is saving the taxpayers' money by having these bills read at length.

POINT OF ORDER

Mr. SHAPIRO. I rise on a point of order.

The PRESIDENT. The gentleman from Philadelphia will state his point of order.

Mr. SHAPIRO. Mr. President, there is nothing before the Senate and therefore I suggest that the gentlemen are out of order.

The PRESIDENT. The point of order of the gentleman from Philadelphia is well taken.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 266, entitled:

An Act to provide for the publcation of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports conferring powers and imposing duties on the State Reporter the Department of Property and Supplies and the Secretary of the Commonwealth providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof and repealing certain acts and parts of acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The decisions of the Supreme Court of Pennsylvania and of the Superior Court shall be published under the supervision of the State Reporter in accordance with the terms of a contract to be entered into by the State Reporter with the responsible and capable person or persons who shall agree to publish and sell the bound volumes of reports of the Supreme Court and of the Superior Court and the advance sheets thereof at the lowest total price as hereinafter provided in this act The State Reporter shall have no pecuniary interest in such contract

Each bidder for the said contract shall designate the total price at which he will sell and deliver prepaid anywhere within the Commonwealth to any person one copy of each bound volume of reports of the Supreme Court and one copy of each bound volume of reports of the Superior Court and one subscription to the advance sheets of said bound volumes or the current equivalent thereof Upon award of the contract the contractor shall be entitled to charge for one bound volume of the reports of the Supreme Court and of the Superior Court and one subscription to the advance sheets of said bound volumes or the current equivalent thereof the price bid by him He shall also be entitled to charge for a single bound volume of reports of the Supreme Court or of the Superior Court or for a single subscription to the advance sheets of reports of the said courts or of either of them or for any combination of such services designated by the State Reporter the price or prices determined by the State Reporter as hereinafter provided

A bidder who proposes to subcontract any part of the work to be done under the terms of the contract shall state that fact in his bid and shall attach the name and address of each proposed subcontractor and a statement of his qualifications and no part of the contract if awarded to such bidder shall be otherwise subcontracted without the prior approval of the State Reporter

Section 2 The contract shall be for a term of five years and shall (a) specify the total price for which the contractor agrees to sell the combination service of the bound volumes of the reports of the Supreme and Superior Courts and their advance sheets as stated in his bid (b) specify the price or prices expressed in percentages of the total price bid for which a single bound volume of the reports of each court or the advance sheets thereof or any combination of such services shall be sold (c) provide that the contractor shall furnish the State Librarian free of charge for library and exchange fifty copies of each bound volume of the reports of the said courts and of the advance sheets thereof and shall furnish the State Reporter free of charge three copies of each said bound volume and eight copies of said advance sheets (d) provide that the said bound volumes of reports and advance sheets shall be printed and published in this Commonwealth (e) provide that the contractor directly or under a written contract or contracts shall maintain in this Commonwealth for the term of the contract the plant facilities and place of business for printing and publishing the said bound volumes of reports and the advance sheets (f) provide that all bound volumes of reports of the said courts and of the advance sheets published under such contract shall be kept by the contractor at his place of business within this Commonwealth or at the direction of the State Reporter at some other convenient place within this Commonwealth to be designated by the State Reporter for sale to all persons at prices established in conformity with the provisions of section 1 of this act during the term of the said contract and (g) provide that the bound volumes of said reports shall be so kept for sale for five years thereafter

Section 3 The State Reporter shall have full power to formulate and prescribe terms and specifications of the contract for the printing and publication of the said bound volumes and of the advance sheets in addition to those enumerated in this act including but not limited to (a) the power to determine what part or parts of said contract may be subcontracted and the terms and conditions upon which part or parts or all of the said contract may be subcontracted (b) the form and the terms of the contract including penalty provisions deemed necessary or desirable by him to assure proper performance by the contractor and (c) the respective percentages of the total price bid for which a single bound volume of the reports of each court or the advance sheets thereof or any combination of such services shall be sold Provided That the total of the prices authorized for the component individual services or combinations thereof shall not exceed 135% of the contract price The State Reporter shall also have the power to reject any and every bid which he in his sole discretion deems unfavorable or disadvantagous to the State and to the public

Section 4 The said reports in the bound volumes shall (a) be printed lithographed or otherwise reproduced on first-class book paper (b) be bound in buckram airplane duck or any other first-class material or materials for binding of books in style and quality not inferior to volume 344 Pennsylvania State Reports (c) be in form and manner of execution similar thereto (d) contain not less than seven hundred pages of printed matter in each volume including an index and table of cases which shall be prepared and furnished by the State Reporter and including any other material directed to be published therein by the State Reporter with the approval of the Supreme Court or of the Superior Court as the case may be

There shall be printed on the back of the reports the matter specified by the State Reporter

The advance sheets of the said reports shall conform as nearly as may be practicable to the bound volumes in type style paging content and manner of execution and shall be published weekly or at such other intervals as the State Reporter may prescribe

Section 5 If the State Reporter in the exercise of his discretion shall determine that the bound volumes of reports shall be electrotyped or stereotyped the plates thereof shall (a) be preserved by the contractor (b) kept within the Commonwealth and (c) delivered to the Secretary of the Commonwealth as the property of the State within three years after the expiration of the contract Upon the receipt of such plates under any presently existing contract or any contract executed hereafter the Secretary of the Commonwealth may in his discretion dispose of them as unserviceable property in the manner provided by law

Section 6 Before the State Reporter awards any contract as provided by this act the Department of Property and Supplies on behalf of and under the supervision and direction of the State Reporter shall give notice of the time and place of awarding the contract and of the terms and specifications upon which sealed bids or proposals will be received by the State Reporter by advertisement in one daily newspaper of general circulation in each of the cities of Harrisburg Philadelphia and Pittsburgh once a week for six consecutive weeks immediately preceding the awarding of such contract

Section 7 Copyright of the advance sheets and of each bound volume of reports shall be obtained in the name of the Commonwealth of Pennsylvania by and at the expense of the contractor

Section 8 The person to whom any contract shall be awarded under this act shall at the time of executing such contract give bond to the Commonwealth with sufficient surety to be approved by the Department of Property and Supplies in the sum of $30,000 conditioned for the faithful performance of said contract

Section 9 Nothing in this act shall be construed to affect or change the rights duties and liabilities of the parties to presently existing contracts for the publication of reports of the Supreme Court or of the Superior Court or the advance sheets thereof

Section 10 The following acts and parts of acts are hereby specifically repealed

Section 5 7 8 9 and 11 of the Act approved the twelfth day of June one thousand eight hundred seventy-eight (Pamphlet Laws two hundred one) entitled "An act to provide for the publication of the decisions of the supreme court and the appointment of a state reporter"

Section 6 of the Act approved the twenty-fourth day of June one thousand eight hundred ninety-five (Pamphlet Laws two hundred twelve) entitled "An act to establish an intermediate court of appeal regulating its constitution officers jurisdiction powers practice and its relation to the Supreme Court and other courts providing for the reports of its decisions the compensation of the judges and other officers and the practice and costs on appeals from its judgments"

The Act approved the fifteenth day of May one thousand nine hundred forty-one (Pamphlet Laws forty) entitled "An act to amend sections seven and eight of the act approved the twelfth day of June one thousand eight hundred and seventy-eight (Pamphlet Laws two hundred one) entitled 'An act to provide for the publication of the decisions of the supreme court and the appointment of a state reporter' requiring the publication of advance sheets of such reports requiring printing and publication in this Commonwealth by a responsible person having a plant and facilities and place of business therein and furthere regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports and advance sheets"

The Act approved the thirteenth day of April one thousand nine hundred forty-two (Pamphlet Laws twenty-four) entitled "An act to further amend section seven of the act approved the twelfth day of June one thousand eight hundred seventy-eight (Pamphlet Laws two hundred one) entitled 'An act to provide for the publication of the decisions of the Supreme Court and the appointment of a state reporter' by making further provision relative to the custody and disposition of plates used in the printing of supreme court reports and supreme court advance sheets"

The Act approved the thirteenth day of April one thousand nine hundred forty-two (Pamphlet Laws twenty-six) entitled "An act to amend section six of the act approved the twenty-fourth day of June one thousand eight hundred ninety-five (Pamphlet Laws two hundred twelve) entitled 'An act to establish an intermediate court of appeal regulating its constitution officers jurisdiction powers practice and its relation to the Supreme Court and other courts providing for the reports of its decisions the compensation of the judges and other officers and the practice and costs on appeals from its judgments' by making further provision as to the preparation custody and disposition of plates used in the printing of Superior Court Reports"

All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr.
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent.
DiSilvestro,
Ealy
Farrell,
Geltz,
Gourley,
Haluska.
Heyburn,
Holland.
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 285 on third reading, entitled:

An Act to further amend section one of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended, "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FARRELL. Mr. President, I ask unanimous consent that Senate Bill No. 304, on third reading, entitled:

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FARRELL. Mr. President, I ask unanimous consent that Senate Bill No. 305, on third reading, entitled:

An Act to further amend the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing certain provisions of said act relating to removal notices and eliminating electors' rights to file removal notices in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 309, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine of the Constitution of the Commonwealth of Pennsylvania be amended by adding thereto a section to read as follows

Section 21 In addition to the purposes stated in article nine section four of this Constitution the Commonwealth may be authorized by law to create debt and to issue bonds to the amount of fifty million dollars ($50,000,000) for the construction of public buildings highway drainage and sanitary systems anti-stream pollution and flood control projects for purposes of reforestation and for the rehabilitation and hospitalization of war veterans

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I understand that this bill is one of the bills which is intended to aid the war effort. This bill, plus the next bill on the Calendar, permits the creation of a public debt which will amount to $110,000,000. It seems to me that before we abrogate that provision of the Constitution, which was put in by the framers to limit debts to $1,000,000, we should give some consideration to the purposes of this amendment.

If, as I am informed, this is for the purpose of enabling us to aid in the war effort, in the usual procedure, we may not be able probably by the time this war will be over to begin to take advantage of this law because this will have to pass two sessions of the Legislature.

If it is a war measure, I think it is not going to help and for that reason I am going to vote against the bill.

I make this suggestion and call attention of the members of the Senate to the fact that this amendment deals with the construction of roads and that a much more available method can be found, which will be more effective and certainly will be timely. If you look at the budget message, you will find that at the end of this biennium, May 31, 1943, there will be in the highway fund a surplus of $30,000,000. Ordinarily the argument might be made that if you want to divert that fund, the people who put the money up would complain and the statement will be made that the money is in the highway fund for specific purposes. One of the purposes is highway road construction. One of the methods of providing against post war depression will be the contruction of highways.

Therefore, it seems to me that a better approach to a solution of this problem and in preparation for post war would be by this legislature appropriating that $30,000,000 to a committee or to a group to be organized for the purpose of post war planning, and that to my mind would be the way to handle the post war problem.

If this is not intended for post war planning, then I can not see the purpose of saddling the Commonwealth with a debt of $50,000,000, because road building can and should be done from road funds.

In the next two years, if the war keeps up, there will be little if any new road building and there will be few if any old roads maintained very well because there will be very little material available.

I therefore am voting against this bill because I believe that there is a much more practical way available to this Session of the Legislature to take care of post war planning.

Mr. EALY. These amendments, of course, will not limit the Legislature in determining how the money shall be spent if the voters approve the issuance of $50,000,000 of bonds. We earnestly hope that the war will be over before this money is available. The purpose is for post war rehabilitation.

The language in this bill was prepared by the Attorney General's Department and is intended to be inclusive of a number of projects, but just how the money will be spent will depend on the action of the Legislature, if the voters pass this amendment.

Mr. SHAPIRO. One of the reasons why I object to this bill as a post war planning proposition is because the act is restricted. It is not, as the gentleman from Somerset suggests, a matter which we can handle by legislation. It is a matter which is confined by the very terms of the act. Since this is a borrowing provision it must of necessity disclose the purpose for borrowing, and since it does disclose that, it of necessity confines the use of money; whatever this money is intended for in the minds of those who drew the resolution, it may be impossible to use it for that purpose because as I read the bill and as we have just heard it read and as I read it before, it indicates that the borrowing capacity is created for specific named purposes.

My suggestion is that instead of doing that, we appropriate the $30,000,000 which is available now and that we use it for road building and such other purposes as may be necessary to assist in correcting economic situations that may arise in the post-war period.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, Senate Bills Nos. 309 and 310 are not one and the same thing, although they both allow the State to borrow money. Senate Bill No. 309 is a debt creating resolution; Senate Bill No. 310, to my mind, does a very excellent job for the Commonwealth.

If the Senators do not mind, in order to save time, I would like to just state that my logic on the matter is that Senate Bill No. 310 retires high interest bonds that are being amortized by rentals received from the State by the State Authority, and I agree, to my own satisfaction anyway, that is good business, but along the same lines, Mr. President, I can not agree that Senate Bill No. 309 is good sound business.

As I understand it, the purpose behind Senate Bill No. 309 is to allow for post-war planning. We are now in the midst of a Session of the Legislature where we are removing taxes that will approximate $50,000,000 from special interests in the State of Pennsylvania. It seems to me following the same lines of thought and following the same businesslike procedure, that it would be more proper that we do not at this time relieve the taxes but put the money aside by appropriation and give it to a post-war planning commission that is to be created and allow it to set that money up for specific post-war jobs.

Mr. President, I can not see the logic of taking taxes away when you admit that when the war is over you are going to need $50,000,000. If you do not admit that, then it is not necessary to have this bill, because if you will remember we financed a load of over $200,000,000 a year for relief purposes under the present Constitution, and we did it because we had the courage, the Democratic Party had the courage, to pass emergency taxes, and although it cost us the election in the State of Pennsylvania, it was still the proper thing to do for the good of the Commonwealth; so I say to you, as an individual, the proper thing to do is not to pass the manufacturer's capital stock exemption, not to pass the mercantile tax exemption, or to repeal the mercantile tax.

Mr. President, when the time comes, I will give you my own opinion of those bills, but at this present time I say to the members of the Senate that it is a most unbusinesslike way to do business, to state you are going to need $50,000,000 for post-war planning and at the same time relieve taxes in the sum of about $50,000,000. You already will have a surplus of $30,000,000 odd at the end of this biennium, and that gives us a total of about $80,000,000 that could be used for post-war planning.

I think the gentleman from Delaware, Senator Heyburn, will bear me out that at an assembly that we just attended in New York City the whole keynote of that assembly was that this was the wrong time to reduce taxes. That logic is good, Mr. President, because all the taxes that we in the State relieve from our individuals and from our industries will be taken by the Federal Government; the most that they can possibly save would be nineteen cents out of the dollar because, assuming that they pay their taxes out of profits, then that particular amount becomes surplus profits and will be subjects to higher surtaxes.

So, Mr. President, we have here in this Senate the cry against the Federal Government injecting itself into the states, and by-passing, as it were, the State government, by spending Federal money to take care of State needs. The reason for that is because the State did not have the foresight to set up the necessary fund, the necessary moneys to take care of their own needs.

If we want to return to State identity, then I say to the members of this Senate that we must have the courage and the foresight to set up a sufficient fund so that when the war is over we will have the money to do the things that we are going to have to ask the Federal Government to do for us.

Recently we passed an act here in the Senate allowing local governments to accumulate funds for post-war work, and we say to the local governments it is proper for you to accumulate funds, because you are getting it off the backs of the individual home owners, the real estate payer pays all your local taxes. You sit here and you pass a tax bill enabling the local governments to create a fund for post-war purposes, getting the money from the local real estate payers, and then again you come right back and say, we do not have the courage to do the same thing with business and industry, we do not have the courage to allow taxes that are now placed upon industry and business and take that money as it comes into surplus, pass an appropriation bill, put it into the hands of the post-war planning commission; oh, no, we have not the courage to do that, but we are going to hand a sop to the people of Pennsylvania, and say if you want post-war development, if you want the State of Pennsylvania to take care of its own unemployment, take care of its own needs, pass this constitutional amendment. You do not have to do that. In the same sense of good judgment that you use in allowing local governments to maintain their tax rate upon real estate for post-war purposes, in the same sense of good judgment, do you not think it would be proper and just for us to say here and now, this is the time for all of us to build up a reserve, to build up a financial status, so that when the war is over we do not have to go crying to the Feederal Government to take care of our unemployment problem.

Now, gentlemen of the Senate, I know it will not make any votes, let us get that understood—and the men grinning over there do not bother me—I happen today to be in the minority, and you do not have to listen if you do not want to—but I do say to you, you can kid some of the people all of the time, you can kid all of the people some of the time, but you can not kid all of the people all of the time, and so, in saying that, I want to tell you —it may be too early, Mr. President, for some of them to have sense enough to listen, but it is not too early for me to defend the real estate owners back home who have to pay the very high rate on real estate taxes, because the Senate of Pennsylvania passes an enabling act for the local counties to maintain the present tax rate. That is what I am driving at. I am driving at the fact that you are the party of special interests. If you pass this resolution, you have not the courage to say you can pay the taxes during this inflationary period, and we are going to levy the same amount of taxes, and we are going to have business build up a reserve for post-war planning. We know very well that the real estate owners are going to continue to pay high taxes, not business, not the manufacturer, not mercantile establishments, just the real estate owner.

Go ahead and pass this bill, and I predict that the people will defeat it at the polls when it comes up.

Mr. EALY. I think no one in this Senate is more in favor of economy and sound government than I am. During the Earle administration, instead of proceeding according to constitutional limitations, a General State Authority was set up and $60,000,000 or $70,000,000 were spent in hurried construction of buildings. It was a sort of paradise for architects and contractors.

Perhaps, in a way, that was justified at the time on account of the conditions, but it would be much better for us to proceed always in a strictly constitutional manner in these matters, in order to prevent a recurrence of the thing which occurred, such as the General State Authority construction program, a program over which this Legislature did not have control, because a group of men went ahead and put up buildings and then the Legislature was asked to pay the bill.

The Federal debt at this time is upwards of two hundred billion dollars, I believe, and when this war is over it will probably reach three hundred billion dollars. We knew what Liberty Bonds fell to after the first World War, and it will require the soundest kind of financing after this World War in order to protect federal security.

This resolution is intended to produce a fund here in order that Pennsylvania may, if it wishes, take some of the load off the Federal Government. Pennsylvania's finances, I think, are regarded as quite sound, in the main, and it can afford a bond issue of this character, after the war, in order to take that load off the Federal Government, as it should be, and protect Federal finances.

This money will be spent under the control of the Legislature, not under a board set up such as the General State Authority. It is pretty inclusive. It is for the construction of public buildings, highways, drainage and sanitary systems, anti-pollution and flood control projects and for purposes of reforestration and for the rehabilitation and hospitalization of war veterans.

When this amendment is finally passed and approved by the voters, the Legislature may determine how the money is to be spent or they may determine it need not be spent at all.

Mr. COX. Mr. President, I would like to interrogate the gentleman from Somerset.

The PRESIDENT. Will the gentleman from Somerset permit himself to be interrogated?

Mr. EALY. Yes, Mr. President.

Mr. COX. Mr. President, inasmuch as we have been talking about both bills, and because I think there is a direct relation between them, I am going to direct my interrogation toward Senate Bill No. 310, the second of these bills.

Senator Ealy, is it the intent, is it your purpose in this bill and the series of bills following, to terminate the General State Authority.

Mr. EALY. The next bill, Senate Bill No. 310, proposes an amendment to the Constitution to provide $60,000,000 for the purpose of retiring General State Authority bonds if the Legislature at that time so determines. The people of the State, and particularly the legal profession, seem to me to have been disturbed by this method of financing. The $60,000,000 is not really a new debt upon the Commonwealth, because whatever you may call this authority debt, it is a debt which the people of the State of Pennsylvania will have to pay.

It would seem to me to be proper to pay that in a perfectly legal and constitutional form.

Mr. COX. Mr. President, I appreciate the explanation of the gentleman from Somerset, but I wish he would be concise and tell me definitely if it is his thought in this matter to ultimately terminate the General State Authority?

Mr. EALY. That is the purpose as stated in the amendments in the bill.

Mr. COX. Mr. President, will the gentleman from Somerset tell me whether or not the bonds of the General State Authority at the present time pledge all the assets of the Commonwealth of Pennsylvania or whether they are restricted to the assets owned by the General State Authority?

Mr. EALY. I believe the bonds restrict the security to particular buildings which have been constructed by the General State Authority. However, all these bonds are held in the retirement systems of the State and the State would have to make good on the money to the retirement systems. If the Senator from Allegheny will notice in the budget, there is an item considerably over a million dollars more than in the last biennium, which is asked to make sound this retirement system.

Mr. COX. Will the gentleman from Somerset tell me if the bonds that are owned by the retirement system are callable bonds.

Mr. EALY. I believe they are not callable, but as they are held by the retirement systems of the State I think it can be worked out with those systems that they be surrendered.

One thing I am disturbed about, Mr. President, is the fact that this Legislature has surrendered a lot of its authority. I understand a bill has been introduced in the House that would, in a manner, cause the Legislature to abdicate. It seems to me that we must uphold the authority of this co-ordinate branch of the Legislature and that in this General State Authority Act we surrendered authority and power which we should not have done.

Mr. COX. Thank you.

Mr. President, the Senator from Somerset, Senator Ealy, has very clearly indicated that the intent of Senate Bill No. 310 is to definitely terminate the authority of the General State Authority. It is obvious, from the standpoint of the financial structure, that there is nothing to be gained by retiring the General State Authority bonds because of the fact that, as the gentleman from Somerset has stated, those bonds are held by other State institutions, the retirement fund?

First when I read the bill I thought it would be excellent financing. I presumed that the authority bonds would bear a higher rate of interest than bonds which pledge all the assets of the Commonwealth, but inasmuch as this is nothing more than a reshuffling of one set of bonds for another set of bonds, with the same ownership maintained, it is obvious that it means no saving of money to the Commonwealth.

I think the issue is clear cut. The thing we have to determine is this, and only this, do we believe in this General State Authority as to the future development of the State, and if we believe in the General State Authority, then it will of course be necessary to vote against Senate Bill No. 310. If we believe, however, that the General State Authority should be terminated, then the thing we must do, of course, is to vote for the bill.

Mr. SHAPIRO. Mr. President, I want to say very frankly I disagree totally with the conservatism of the gentleman from Somerset, Senator Ealy, but I respect his sincerity and I say that sincerely.

I think he has the feeling about this whole situation that we have committed ourselves to a dangerous precedent in allowing this so-called quasi-legislative organization to operate without control of the Legislature.

However, the difference of opinion arises from the fact that we take the view that these are abnormal times that we have been living in and will live in in the future, and while he is conservative and careful, he seems to me to be shortsighted in the procedure he is taking. It may be that in two or three years from now we may all agree that the General State Authority should not be used any further; on the other hand it may be that we shall all be very glad that there is a means by which we can do these things which we would like to do but which would require a constitutional amendment and therefore take so much time to do. An emergency situation might rise again such as we have had, and if we all shut our eyes to the fact that when this war is over there is going to be trouble, we are just living in dreamland; if we expect, instead of having unemployment, that we are going to have a rosy career ahead of us, we are shutting our eyes to precedence and experience.

If the gentleman from Somerset has any idea that we may need money in the future to do those things, why confine it by this constitutional amendment in this form? Take the two bills together and you accomplish the same purpose with less restriction and you would be using better judgment because with the constitutional provision in this bill that there shall be no debt in excess of $1,000,000, if you have two or three projects in mind and they will cost $110,000,000, why not just amend the constitutional provision and instead of the debt being limited to $1,000,000, why not limit it to $110,000,000?

In other words, why not increase the borrowing capacity? That to me is good sound financing. We do not need to exercise it, but it seems to me that we have found that we were restricted and limited and coerced into doing a great many things we would not have done if we had not had that limitation in the Constitution.

A million dollars, in 1874, looked like a great deal of money to the framers of the Constitution but today a million dollars is not even interest on some of the debt, and therefore I think the proper step would be, instead of adding two clauses to the Constitution, to make one amendment authorizing this Legislature to pass laws which will enable them to use the borrowing capacity, and in order to do that provide an amendment to the Constitution authorizing us to borrow a hundred million dollars.

Suppose next week the gentleman gets another idea that it would be wise to use certain additional moneys for certain additional purposes and we all agreed, then he would have to have another constitutional amendment, because he can only use this $100,000,000 for the purpose provided for in these two amendments. It takes four years to ge an amendment through.

The trouble that is creeping through here, as I see it, is his dislike for the General State Authority and so we find three bills on the Calendar, one which authorizes the borrowing of $50,000,000, another which authorizes the borrowing of $60,000,000 to pay off the bonds of the General State Authority, and a third authorizing the General State Authority to sell all of its property.

When we start to consider Senate Bill No. 310, I think we may be able to point out to you that that is another wrong method of attacking something which you do not like and which may be wrong and for the purpose of the argument we can admit maybe it was the wrong thing to do but the procedure to correct it is equally bad.

I suggest to the gentleman from Somerset that he can accomplish his purpose by merely increasing the constitutional limitation as to borrowing capacity and then this Legislature will have available to it $110,000,000. It may only use $30,000,000 of that amount for the purposes mentioned in the first bill, No. 309, before this Legislature will have available to it $110,000,000 it may only use $30,000,000 of it for the purposes mentioned in the first bill, No. 309; it might use only $40,000,000 for the purposes mentioned in the second bill.

Under those circumstances it would seem to me to be sound judgment to without limitations increase the borrowing capacity.

Mr. WOODWARD. Mr. President, I do not like to indulge in prolonging the debate on this bill, but this seems to be an unusual day and there seems to be all the time there is. The Senator from Philadelphia, Mr. Shapiro, said these things—well, the Governor and I call them "stinkers"—arose in abnormal times, and I quite agree with him that the four years under Governor Earle were very abnormal times. During his administration there was set up, as you know, the Turnpike Commission and the State Authority, and their objectives may have been very, very fine, but like all New Deal operations they were like the Society of Jesus, that the end always justifies the means. The story as I recall it was, at the time Governor Earle went to the White House he explained to the President that he wanted to have this memorial highway, this super highway, this dream highway, in memory of his recent Secretary of Highways—who was the best man in his Cabinet, I believe—and the President reached out his hand for his checkbook and wrote a check for $20,000,000 and handed it over to his dear friend George. Of course that twenty million dollars I object to even now at this date.

Well, another one of those agencies is this General State Authority. I have had brokers come to my office and try to sell me bonds, but not having been born with Johnny Dent, only yesterday, I never bought those bonds although it was rather misrepresented that they were State bonds—they are not, of course, State bonds.

I am now coming to the really interesting part of my remarks. This General State Authority set-up is what is known as a vicious circle, because the excuse, the only excuse for the erection of these grandiose buildings and one reason why I dislike the Auditor General is that he sits in such a grandiose building; that building is not even paid for and the excuse for that building was that they were having to pay rentals for various office buildings in Harrisburg and now the building is not only not paid for but we are paying rental for this Finance Building.

This whole undertaking is headed for the rocks and having been more or less foisted upon the Teachers' Retirement Fund, these bonds—they could not sell them to the public, the General State Authority and the Teachers' Fund required a four per cent income—and of course the whole thing will be dumped into the lap of the Commonwealth, which shows perhaps that if you do a good thing in the wrong way you come to grief. Thank you for having paid strict attention to what I have said.

Mr. WALKER. Mr. President, I am sorry that I can not follow the speeches as lucidly as some of the other members of the Senate, because I want to say to you very frankly I am not accustomed to discussing $50,000,000 at seven-thirty in the morning, but speaking of Senate Bill No. 309, I would like to suggest, first, Mr. President, that this, of course, as was suggested by the gentleman from Philadelphia, is an amendment to the Constitution, and it is my fervent hope that when this war is over and about three hundred thousand Pennsylvania boys come back from the various fronts, they will throw us all out of office and throw the Constitution out with us, and rewrite a new one, because it is obvious from the remarks we have heard here for the past five weeks that there are a lot of things that are in the Constitution that we do not like and a lot of things that are in the Constitution that we do like. Reading bills at length would be one of the things I hope they take care of, Pal Joey.

May I say further, Mr. President, I intend to vote for Senate Bill No. 309, simply because it will give the people in the Forty-fourth Senatorial district a chance to rear back and vote "no" on a constitutional amendment, which they always do with vim and vigor.

I would like to suggest to the gentleman from Philadelphia that those of us who have the turnpike—are very happy that it is there. We think it is a step in the right direction, but perhaps it is the wrong theory of philosophy of national wealth or governmental wealth, and the wealth of the nation and the wealth of Pennsylvania can be administered just as badly, but I think it is much better in the schools, the hospitals, public buildings and the turnpike which have been created by the General State Authority, than to have all the bullion, the gold and the silver stored in vaults somewhere in Pennsylvania.

I hope—and this is in honest disagreement with the gentleman from Somerset, Mr. Ealy—I hope we either circumvent this Constitution by writing a new one, or that we close our eyes and continue the State Authority if it is going to mean we can still have all these betterments in Pennsylvania.

The turnpike does not go to Philadelphia, as we are all aware, and perhaps that is one of the things that is wrong with the turnpike. It is something that western Pennsylvania got that Philadelphia did not get.

(During the calling of the roll the following occurred:)

Mr. SHAPIRO. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified. The Clerk will call the names of those recorded as having voted "aye."

The Clerk read the names of those recorded as having voted "aye" as follows:

Becker,
Bowers,
Carr,
Crider,
Crowe,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

The PRESIDENT. Are there any corrections? The Chair hears none.

The affirmative roll will stand as verified. The Clerk will now verify the negative roll.

The Clerk read the names of those recorded as voting in the negative as follows:

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Jaspan,
McCreesh,
McGinnis,
McQuiddy,
Shapiro,
Woodring,

The PRESIDENT. Are there any corrections?

Mr. HOLLAND. Mr. President, I want to be recorded as having voted "no."

The PRESIDENT. The gentleman from Allegheny will be so recorded.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,
Bowers,
Carr,
Crider,
Crowe,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—14

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McCreesh,
McGinnis,
McQuiddy,
Shapiro,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 310, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 That the following amendment to the Constitution of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That article nine of the Constitution of Pennsylvania be amended by adding thereto a section to read as follows

Section 20 In addition to the purposes stated in article nine section four of this Constitution the Commonwealth may be authorized by law to create debt and to issue bonds to the amount of sixty million dollars ($60,000,000) for the purchase and retirement of bonds issued under the authority of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fifty-two) cited and known as The General State Authority Act and its amendments

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, I desire to interrogate the gentleman from Somerset, Mr. Ealy.

The PRESIDENT. Will the gentleman from Somerset permit himself to be interrogated?

Mr. EALY. I will.

Mr. SHAPIRO. Mr. President, will the gentleman state whether it is not true that the effect of this amendment would be for the State to pay a private debt?

Mr. EALY. It is allegedly a debt owed by the General State Authority. However, it is recognized by everyone that it is a debt of the people of the Commonwealth.

Mr. SHAPIRO. Will the gentleman from Somerset state whether it is not true that the act authorizing the issuance of these bonds specifically provides that the credit of the Commonwealth should not be pledged and that the Commonwealth should not be responsible for the bonds.

Mr. EALY. I believe that the act says that the Commonwealth, as an entity, would not be responsible for the payment of the bonds. However, the debt is a debt of the people of the Commonwealth.

Mr. SHAPIRO. If the debt is a debt of the people of the Commonwealth, will not the gentleman admit that it does not require a constitutional amendment? There is no prohibition against paying a debt of the people of the Commonwealth by the Commonwealth using "people" in the same sense that the gentleman from Somerset uses it.

Mr. EALY. There is a distinction, technically, between the people as a body, and the Commonwealth as an entity.

Mr. SHAPIRO. Mr. President, I think I have touched upon a subject which discloses very clearly that there are some people who consider the people entirely different from the government, but for once I have gotten a conservative to admit that the government is the people.

Mr. EALY. I have always said that the people should recognize they are a part of the government, but that is one of the peculiarities about this General State Authority, in that it drew a distinction between the people and the government.

Mr. SHAPIRO. Mr. President, may I suggest that either this is a debt of the Commonwealth or it is not a debt of the Commonwealth. If it is not a debt of the Commonwealth, then the Commonwealth should not pay this debt. It is true that a great deal of the retirement funds are invested in these bonds, but it is also true there are some other moneys invested in these bonds, and the effect of the assumption by the Commonwealth of this debt will be first to pay a debt not of the Commonwealth but of a strictly private person because, as the gentleman from Somerset pointed out, the Legislature has no control; the Legislature delegated power to a number of individuals who have constructed buildings, made leases and contracts with various departments of the government. When you pay off this debt, the State Authority remains with the property, the leases still exist, the obligation of the Commonwealth to pay rentals on those leases still exists.

This is another method of trying to get rid of what some people think is a bad thing, because it was created in a bad way, in a similarly bad way.

This constitutional amendment again is restricted. This constitutional amendment means that the State Authority would be eliminated. Again I say that it is a mistake at this time, much as you may dislike the State Authority, to begin the destruction of something, the use of which you may need, unless you do as good business would indicate you should do, namely, increase your borrowing capacity. Then you will not need a State Authority, then you can construct these projects, then you can create construction programs, you can do anything that you might want to do. You can do it by legislation and do it by legislative enactment and control it, but to say that we want to get rid of one bad thing and create another bad thing, or even worse to create a substitute for a bad thing in such a way as to enable you to meet the same situation that is undoubtedly bound to recur, seems to me to be shortsightedness.

I am going to vote against this bill, first because I do not believe in destroying the State Authority, and secondly, because in its destruction there has been no sensible business method suggested to meet the same situation that will undoubtedly arise when this war is over.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Becker,
Bowers,
Carr,
Crider,
Crowe,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—13

Barr,
Coleman,
Cox,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McCreesh,
McQuiddy,
Ruth,
Shapiro,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. WOODWARD. Mr. President, if it is in order, I simply want to make a remark about the bill that has just been passed. Although the hour is late, does some one object?

It might be interesting, I think, to most people, even Mr. Walker, to know in the Garrett fortune estate in Philadelphia, which has been in litigation for many years, that over twenty million dollars is being used to purchase war bonds. Now, when that money is escheated to the State, it certainly belongs to the Commonwealth, but the Commonwealth never up to date has bought any war bonds.

Therefore, I raise this interesting question, how can the Commonwealth take this money and buy war bonds, when it has never done so before, and it throws a little light on this difference between the people and the Commonwealth, it seems to me, and even though the hour is late, it is very interesting.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 314, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the provisions for supervisors of special education in counties employing fewer than five hundred and fifty teachers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved July first one thousand nine hundred thirty-seven (P. L. 2592) is hereby further amended to read as follows

Section 1126 Every county superintendent having more than one hundred and fifty (150) and not more than five hundred and fifty (550) teachers under his supervision shall have one assistant county superintendent Every county superintendent having more than five hundred and fifty (550) but not more than one thousand and and fifty (1050) teachers under his supervision shall have two assistant county superintendents Every county superintendent having more than one thousand and fifty (1050) teachers under his supervision shall have one additional assistant county superintendent for each additional five hundred teachers or fraction thereof but no county superintendent shall have more than five assistants In addition to the assistant county superintendents herein provided for in each county in which there are 550 or more teachers under the supervision of the county superintendent there shall be appointed at least one supervisor of special education and in each county in which they are [less] fewer than 550 teachers under the supervision of the county superintendent there shall be appointed a [joint] part-time supervisor of special education who shall serve jointly in two or more counties except in the case of a county which employs fewer than 550 teachers and is not adjacent to any other county employing fewer than 550 teachers in which case a full-time or a part-time supervisor of special education shall be appointed In no instance shall such supervisor of special education serve in more than three counties The State Council of Education shall have power and it shall be their duty to determine the counties which shall be served jointly by a joint supervisor of special education The time of the joint supervisor of special education shall be apportioned among the several counties on the basis of the number of teachers under the supervision of the county superintendent in each county

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. COX. Mr. President, I intend to vote for this bill, as I am satisfied that the gentleman from McKean County knows the specific needs of his county.

Yesterday I introduced a bill in which I made an attempt to set up a competent legislative investigation of the whole problem of public school education in the Commonwealth of Pennsylvania. My experience has proven to me that there must come a day when we have a complete integration of our public school system. I believe that every member of the Senate will agree with me that although the times change rapidly and quickly, the needs of our public institutions can not keep apace. After this war is over, we face something that today we can not even predict. We do know this, that in the post-war world education is going to play a tremendous part in what happens.

Today on the Calendar is a bill introduced by the gentleman from Allegheny, Senator Holland, in which he would create an aeronautical school in the Commonwealth of Pennsylvania. I believe every member of the Senate is in accord with the thing that Senator Holland is trying to do. In that bill, however, Senator Holland suggests that we take one of our normal schools that we may get an aeronautical school in the Commonwealth of Pennsylvania.

The State normal schools of Pennsylvania have been one of the finest of all our State institutions. From those institutions in the past, before our colleges and State universities were properly equipped to train tecahers, came the finest teachers the Commonwealth has ever had. I did not go to a normal school, but I did supervise teachers at one time, and I can say in all honesty that I was always glad when my school board employed a teacher who was a graduate of a normal school.

It is true, perhaps, that they were not as well versed in philosophy, psychology or sociology, but they did know how to teach. I have heard the opinion expressed on this floor that we should get rid of the entire normal school system. With that I can not agree.

I only point this fact out to indicate that we are constantly troubled in our sincerity to determine what to do with our public school system, we have had no investigation, we do not know what the right trend it, and certainly we can not determine what the future of our educational institutions should be. Unless we have facts, and a careful study, to give us those facts.

Today we are confronted with the problem of assistance to school teachers. We all recognize the inadequacy of the compensation that they receive, and I believe this emergency has brought to the attention of many members of the Senate the really great difference in salaries existing all over the Commonwealth. I believe that many members of the Senate for the first time realize the tremendous difference that exists in salaries of various classifications of schools. My own thought in the matter is that ultimately will come the day when the whole question of public school education will be centralized directly in the State Department of Education, a time when the individual school districts will be wiped out, a time when a teacher teaching in the most rural district of Pennsylvania will receive the same compensation for doing the same work that the teacher who teaches in Pittsburgh or Philadelphia would have.

Mr. President, the bill that I introduced is not my brain child. I believe that it originated last year—perhaps the gentleman from Lancaster, Senator Homsher was the author, I am not certain. The bill passed the Senate, passed the House, was amended by the Senate, and then went to a conference committee. The conference committee could not agree and the whole idea died. I felt that it was a noble idea, and I certainly hope that regardless of what happens in this Legislature, that before we adjourn the Legislature will take cognizance of this tremendous problem of public school education and will set up a proper committee to investigate education, so that when the members of this Legislature come back in 1945, we will have the facts so that we can chart the course of public school education in Pennsylvania in the future.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

THE PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

POINT OF INFORMATION

Mr. THOMAS B. WILSON. Mr. President, I rise to a point of information.

The PRESIDENT PRO TEMPORE. The gentleman from McKean will state his point of information.

Mr. THOMAS B. WILSON. Mr. President, I do not know, under the procedure under which we are operating whether or not I ought to move to reconsider the vote by which this bill passed second reading, or whether I should wait until the bill has been read in full. I am not in any way trying to interfere with the system under which we are operating and I want to comply with it, only it is kind of strange to me, that is all.

If I may now move to reconsider the vote by which this bill passed second reading, I will then offer an amendment, but if the present technical legislative system prohibits me from doing that, I will sit in my seat patiently and wait until the proper time arrives.

RECONSIDERATION OF SENATE BILL No. 344

Mr. THOMAS B. WILSON. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 344, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of any order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" including persons subject to the National Labor Relations Act in the definition of "employer"

passed second reading.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. THOMAS B. WILSON. Mr. President, I voted "aye."

Mr. HEYBURN. Mr. President, I second the motion.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye."

The motion was agreed to.

The first and second sections were read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. THOMAS B. WILSON offered the following amendment.

Amend title, page 2, last line of title, by inserting at the end of said line, the following: and defining the term "labor organization".

On the question,

Will the Senate agree to the amendment.

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 345, entitled:

An Act to further amend the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; Providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," further regulating the right to, and procedure on, appeals to court.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, I would like to interrogate the sponsor of the bill, the gentleman from McKean, Mr. Wilson.

The PRESIDENT PRO TEMPORE. Will the gentleman from McKean permit himself to be interrogated?

Mr. THOMAS B. WILSON. I will, Mr. President.

Mr. DENT. Mr. President, as I understand it, the amendment to this act is to Section (b) on page 4.

Mr. THOMAS B. WILSON. That is correct, Mr. President.

Mr. DENT. It states: "any person aggrieved by a final order of the board granting or denying in whole or in part the relief sought or by an order certifying a collective bargaining agent of employes." Why is it necessary for a collective bargaining agency to be certified before it can obtain a review of an order of court? I would like to know why that is necessary.

Mr. THOMAS B. WILSON. The only purpose of this bill, Mr. President, is to change from one section to another some provisions in there and to provide the method of appeal. There is not any attempt—if there is, I do not see it, Senator Dent—to in any way affect either the employer or employe unfavorably. The attempt is to define and outline the procedure on appeal—I may see it wrong, I appreciate that—but the attempt is to define the method of appeal so that there will not be a multitude of appeals that will swamp the work. Another thing is. as I see it, that an appeal from those orders shall not be a supersedeas. Now, that is all that I see in the bill. We passed this bill in the 1942 Session and the Governor vetoed it because it was not in the call for the Session. I do not see anything in this but a method to regulate the procedure, and I do not think it hurts anybody, as far as I can see it; it may, but I cannot see it. If there is any question about it, I will be glad to know it.

Mr. DENT. Thank you kindly, Mr. Wilson. I was in committee when this bill was brought up, and we discussed it and discussed it, and the only thing said was that it was an amendment to transfer a certain section of the act to another section. However, if you will look over the bill, this is a re-enactment of a bill that was passed in 1937 and amended in 1941. However, it does not not do anything in this particular bill. It does not do anything except insert in Section (b) the following lines: "by an order certifying a collective bargaining agent of employes."

I am just wondering whether or not this amendment will curtail the rights of a group because they must first be certified as a bargaining agency.

Mr. THOMAS B. WILSON. I am sure it does not do that. I may be mistaken, but as I look at it very carefully, I cannot believe it does that. I do not think that anything in here restricts appeals. I do think that it enlarges the scope, so that both the employer and labor get the benefit. It does not change this question of a supersedeas. The only thing that I see in it is that it changes—

Mr. DENT. Pardon me, but that is already in the act. We are not adding a new section, we are not doing anything about a supersedeas. There is not a word to that effect. The only thing that is done in this bill is to change line 26 and part of line 27, and I just cannot understand the necessity for so doing.

I am willing to agree that if it is a procedural amendment we are for it, but I still cannot understand why that particular clause must be inserted in this act. I am willing to go along on your proposition if it does that, but if it does not do that in this bill—

Mr. THOMAS B. WILSON. If it does not do what?

Mr. DENT. It does not do anything but add a line on lines 26 and 27.

Mr. THOMAS B. WILSON. It changes the place where the amendment is.

Mr. DENT. I still do not understand what the gentleman from McKean is trying to do. I still do not understand what he is trying to change.

Mr. SHAPIRO. Mr. President, first of all I think these bills we are acting on here are breaking rules which we tried to establish, that we ought to have all amendments to any particular act in one bill. Here you have Senate Bill No. 344, which amends one section of this act and then you have Senate Bill No. 345, which amends another section of the act. The Attorney General's Department has attempted throughout the last four or five sessions of the Legislature to have legislative amendments to a particular act all in one bill.

I should like to interrogate the gentleman from McKean, Mr. Thomas B. Wilson.

The PRESIDENT PRO TEMPORE. Will the gentleman from McKean permit himself to be interrogated?

Mr. THOMAS B. WILSON. Yes, Mr. President.

Mr. SHAPIRO. I have read this bill and tried to analyze it and I can not see that it adds anything to the bill at all but it does take something away from the bill. First of all it takes away from the court the right to grant a supersedeas if they think a supersedeas is necessary.

Mr. THOMAS B. WILSON. That is right.

Mr. SHAPIRO. I should like to know the reason for that.

Mr. THOMAS B. WILSON. Well, Mr. President, the way the thing is now defined in the bill, they felt there did not need to be a supersedeas—there may be some question about that. It does provide the procedure so that it is outlined more clearly and then it does provide that those appeals shall not be a supersedeas.

Mr. SHAPIRO. The next question I would like to ask the gentleman from McKean is whether it is not so that under the present state of the law there is an appeal by anyone who is aggrieved by an order certifying a collective bargaining agent of employes.

Mr. THOMAS B. WILSON. That is true.

Mr. SHAPIRO. If that is true, Mr. President, I cannot see the point of inserting Section (b), the amending provision, because it will only lead to confusion. Under the present law as it exists and under clause (d) of Section 7, there is the right to appeal, as I read it, from any certification. I cannot understand why there should be specifically picked out and granted by express words the right to appeal from any order certifying a collective bargaining agent of an employe.

Mr. THOMAS B. WILSON. In answer to the Senator from Philadelphia, it is transferred from one section to the other.

Mr. SHAPIRO. A transfer of the words in Section 7, to the Judicial Review section?

Mr. THOMAS B. WILSON. That is true.

Mr. SHAPIRO. To Section 9. I understand that, but I still do not see what you have accomplished in doing that; you may not accomplish anything by it. That is what I am asking the gentleman from McKean or somebody to tell me, what was the purpose of inserting this amendment, so that I might be able to understand it by reading the bill. The present law is that anyone may take an appeal from any order entered upon valid testimony of the proceedings as set forth in the transcript of the board and that the appeal may be made a supersedeas as the court sees fit.

Now, Mr. President, this amendment does only one thing in my opinion that nobody has yet referred to, namely, prohibits an appeal from a temporary order.

Mr. THOMAS B. WILSON. I said that it was not now a supersedeas.

Mr. SHAPIRO. Mr. President, if an appeal cannot be made from an order which is not final, it seems to me that you have hurt the proceedings rather than aided them. There are certain temporary orders which in their effect are final; they might just as well be. If an order to cease and desist is rendered by this board which is not final, or if an order certifying or denying somebody the right to be a collective bargaining agency is not final, by the time you get an appeal you might as well not take the appeal, and it seems to me you are hurting industry here without any real purpose.

I am in the midst of a case now representing an employer who, if he did not have the right to appeal in the situation which he is in might just as well not take an appeal. Mr. President, take the recent case of the Sun Oil Company and if the court did not have the right to issue a restraining order in that case, by the time the case was heard by the court the Sun Oil Company might just as well have bargained with these people who claimed to be and subsequently decided not to be the bargaining agency.

Mr. President, I think this bill may do a great deal of damage. I suggest that this bill go over in order so that time may be taken to study its effect. I am afraid of the effect of this bill, both on employer and employe. At the moment I see an effect on the employer which should not be imposed on the employer in fairness under the act. The board you are dealing with is a body which has very strong powers and if you are not going to give us the right of appeal from a temporary order you may be affecting employers unfairly.

Mr. THOMAS B. WILSON. Mr. President, I want to answer the gentleman from Philadelphia by saying there is the right of an appeal in law, but an appeal from a temporary order is not a supersedeas.

Mr. SHAPIRO. That is true and it is not a supersedeas in this case, but when you take out the provision that the court, if it sees fit, may grant a supersedeas, you have told the court that it has no right to enter a supersedeas in any case, and that is what I am objecting to.

Mr. THOMAS B. WILSON. The only thing is that you may not take a supersedeas from a preliminary order.

Mr. SHAPIRO. That is correct.

Mr. THOMAS B. WILSON. On anything excepting a final order, and that is the law of Pennsylvania on all other matters. There is no change made in the general law.

Mr. SHAPIRO. That is quite true, Mr. President, but the statutes have granted certain rights of appeal from even preliminary orders where experience has taught us that a preliminary order in its effect may become final, even without a final decree, so that it has become necessary for this Legislature from time to time to pass laws giving the right to appeal from preliminary orders.

We have the right today to appeal from a preliminary injunction, which we did not have before, and we should have the right in this bill to appeal from a preliminary order, the effect of which may be just as final as if it were a final order. That is what you are taking away from the employer in this case and also from labor.

BILL OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that Senate Bill No. 345, on final passage, go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection?

POINT OF INFORMATION

Mr. THOMAS B. WILSON. Mr. President, I rise on a point of information.

The PRESIDENT PRO TEMPORE. The gentleman from McKean will proceed.

Mr. THOMAS B. WILSON. Mr. President, has Senate Bill No. 345 been read for the third time? Have we gone through the agony of having heard it read?

The PRESIDENT PRO TEMPORE. Senate Bill No. 345 has been read three times and agreed to.

On the question.

Will the Senate agree that the bill go over?

Mr. THOMAS B. WILSON. If the gentleman desires that this bill go over in order until tomorrow, I think we ought to have an understanding that tomorrow morning we will not have to go through that agony again of having it read at length.

The PRESIDENT PRO TEMPORE. Such an understanding is not necessary. Senate Bill No. 345 has now been read three times at length on three different days and an understanding such as the Senator from McKean suggests is not necessary. The record shows that the bill has been read three times, and the Chair has so stated.

Mr. THOMAS B. WILSON. Mr. President, I have never yet refused a request to have a bill to go over in order for a day and if Senator Shapiro makes such a request I will agree.

Mr. SHAPIRO. I do so request, Mr. President.

And the question recurring,

Will the Senate agree that Senate Bill No. 345 go over in order?

It was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 348, entitled:

An Act to amend section four of the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1409) entitled as amended "An act authorizing the creation of State mining commissions with judicial powers to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth and over the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth whether the damages are payable by the Commonwealth or a county or a municipality authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands easements or right of ways caused by the removal of coal under or adjacent thereto waiving vertical and lateral support therefor under certain conditions reserving the right to acquire absolute vertical and lateral support reserving the power to establish detours for the removal of coal underlying State highways providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place" by waiving under certain conditions where no damages are payable vertical and lateral support to all lands easements and right of ways purchased condemned or otherwise acquired by the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania enacts as follows

Section 1 Section four of the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1409) entitled as amended "An act authorizing the creation of State mining commissions with judicial powers to have exclusive jurisdicition with certain exceptions over the mining of coal within or under land easements or right of ways purchased condemned or otherwise acquired by the Commonwealth and over the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for land easement or right of ways purchased condemned or otherwise acquired by the Commonwealth whether the damages are payable by the Commonwealth or a county or a municipality authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands easements or right of ways caused by the removal of coal under or adjacent thereto waiving vertical and lateral support therefor under certain conditions reserving the right to acquire absolute vertical and lateral support reserving the power to establish detours for the removal of coal underlying State highways providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place" as last reenacted and amended by the act approved the third day of July one thousand nine hundred and forty-one (P. L. 259) is hereby further amended to read as follows

Section 4 Except as hereinafter specifically provided by this act vertical and lateral support by underlying coal for any land easement or right of way purchased condemned or otherwise acquired by the Commonwealth is waived (1) (a) Whenever the State Mining Commission finds that the cost of restoring any possible subsidence or replacing any damage to structures or other improvements on such land easement or right of way is less than the amount payable for damages for coal required to be left in place in order to furnish such vertical or lateral support or (b) if no damages are payable by reason of the failure of the party or parties entitled thereto to institute proper proceedings to recover the same within the period prescribed by law whenever the owner or person entitled to remove the coal shall enter into an agreement to indemnify the Commonwealth for any damages or reimburse it for the replacement of any structure or other improvement which may be injured or destroyed by the removal of coal owned or adjacent to lands easements or right of ways owned by the Commonwealth and (2) Whenever the commission finds from the evidence before it that such waiver of support and the removal of coal will not result in loss of life or personal injury to persons properly using said land easement or right of way

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall apply to all cases now pending before any State Mining Commission

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

(During the reading of Senate Bill 348 the following occurred):

MOTION THAT READING OF BILL IN FULL BE DISPENSED WITH

Mr. HEYBURN. Mr. President, unless there is objection, I move that we dispense with further reading of Senate Bill No. 348, inasmuch as the bill is in printed form and copies are on each of the Senator's desks.

The PRESIDENT PRO TEMPORE. Is there objection to symbolic reading?

Mr. SHAPIRO. I object, Mr. President.

The PRESIDENT PRO TEMPORE. The Clerk will proceed with the reading of the bill.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 350, entitled:

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College on behalf of the Commonwealth of Pennsylvania that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestly and now the property of the Pennsylvania State College providing for the control management and maintenance thereof by the said department and the Pennsylvania Historical Commission authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies or individuals such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial authorizing the Pennsylvania Historical Commission to accept as gifts or loan such books manuscripts pamphlets relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science and making an appropriation

Whereas Joseph Priestly a great scientist and humanitarian was one of the most distinguished citizens of the Commonwealth of Pennsylvania and

Whereas His writings and experiments in the field of chemistry and electricity and particularly his discovery of oxygen contributed greatly to the scientific and industrial progress of Pennsylvania and the whole world and

Whereas His former home in the Borough of Northumberland is accordingly a shrine of international interest and

Whereas The Pennsylvania State College acquired this property in 1919 and has since maintained it and

Whereas The Pennsylvania State College has indicated a desire to transfer this shrine to the Commonwealth of Pennsylvania for preservation and maintenance as a permanent memorial therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies is hereby authorized to acquire by gift from the Pennsylvania State College on behalf of the Commonwealth of Pennsylvania that certain tract of land in Northumberland Borough County of Northumberland upon which is located the home of Joseph Priestly and now the property of the Pennsylvania State College The Pennsylvania State College may convey said property subject to the terms of any lease held on said property by any person at the time of such conveyance and the Secretary of Property and Supplies after said property is acquired shall have the power to rent to individuals firms or corporations such property or any part thereof upon such terms and conditions as he may prescribe with the approval of the Pennsylvania Historical Commission in writing

Section 2 The Pennsylvania Historical Commission after said property is acquired is hereby authorized to control manage and maintain said property in accordance with powers vested in it by law as a permanent memorial museum and historic shrine

Section 3 The Pennsylvania Historical Commission is hereby authorized to coöperate and consult with an advisory board consisting of five members appointed by the Governor for terms of three years and including representatives of the American Chemical Society concerning such plans as shall be considered for the development of the property as a memorial to science

Section 4 The Pennsylvania Historical Commission is hereby authorized to accept in trust as provided by law from the American Chemical Society and other interested societies or individuals such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent Priestly memorial

Section 5 The Pennsylvania Historical Commission is hereby authorized to accept as gifts or loans as provided by law such books manuscripts pamphlets relics scientific apparatus or furniture as interested societies or individuals may provide for the permanent utilization and development of the property as a museum and library of the history of science as well as a memorial to Joseph Priestley

Section 6 The sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby specifically appropriated to the Pennsylvania Historical Commission for the suitable maintenance and development of said property during the biennium beginning June first one thousand nine hundred forty-three Payment from such appropriation shall be made upon requisition in the manner provided by law

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 361, entitled:

An Act regulating commercial strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, including issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. WATKINS. Mr. President, I ask unanimous consent that Senate Bill No. 361, on final passage go over in its order.

The PRESIDENT. Is there objection?

Mr. HENRY I. WILSON. Mr. President, here is a bill that should be referred to the Committee on Mines and Mining. I am perfectly satisfied that it shall go over in order today, but it does seem to me that the sponsors of this bill should at least have the courtesy of sending this bill, which has come out of the Committee of Forest, Water, Game and Fish, and which pertains particularly to mining, that it should be sent to the Committee on Mines and Mining.

However, that is up to them. I am not going to move that that be done, but I do feel that this bill just going over in order is hardly enough. These matters can be discussed at each of the caucuses to be held by the different parties.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Westmoreland will proceed.

Mr. DENT. Mr. President, is this bill now on final passage?

The PRESIDENT. It is, having been read at length for the third time.

BILL OVER IN ORDER

Mr. DENT. Mr. President, I ask unanimous consent that Senate Bill No. 361, now on final passage, go over in order, if there is no objection.

The PRESIDENT. Is there any objection?

Mr. WATKINS. I have no objection, Mr. President.

It was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 397, entitled:

An Act to further amend section five hundred fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by adding thereto clause (f) providing for contracts and leases for the mining and removal of minerals including oil and gas from lands of the Commonwealth

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the twenty-first day of July one thousand nine hundred and forty-one (P. L. 429) is hereby further amended by adding thereto clause (f) to read as follows

Section 514 Sale of Real Estate and Grants of Rights of Way or Other Rights Over or in Real Estate Tapping Water Lines of Institutions and Sanitoria Mineral Leases

* * * * *

(f) Any department board or commission having control over lands of the Commonwealth may with the approval of the Governor make and execute contracts or leases in the name of the Commonwealth for the mining or removal of any valuable minerals including oil and gas that may be found on such lands whenever it shall appear to the satisfaction of the department board or commission and the Governor that it would be for the best interests of the Commonwealth to make such disposition of said minerals Every such proposed contract or lease exceeding three hundred dollars in value shall be advertised once a week for three weeks in at least two newspapers one of which shall be published in the county where the lands are located in advance of awarding such contract or lease All such contracts and leases shall be awarded to the highest and best bidder who shall give such bond to the Commonwealth for the proper performance of the contract as the department board or commission with the approval of the Governor shall designate The bond shall be approved by the Department of Justice and shall be filed with the State Treasurer Nothing contained in this subsection shall be construed to repeal or modify or add to the provisions of section one thousand eight hundred and two (g) of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) and the amendments thereto relating to contracts and leases by the Department of Forests and Waters or section nine hundred six of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) relating to contracts and leases by the Pennsylvana Game Commission

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
Stevenson,
Tallman,
Thomas,
Tyler,
Walker,
Watkins,

Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Holland,
Homsher,
James,
Jaspan,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 422 PLACED ON POSTPONED CALENDAR

Mr. JAMES. Mr. President, I move that Senate Bill No. 422, Printer's No. 149, entitled:

An Act to further amend section one of the act, approved the sixteenth day of April, one thousand nine hundred seven (P. L. 92), entitled as amended "An act defining the duty of coroners, where death is sudden or violent, or is of a suspicious nature and character, and of police, and health authorities, in this Commonwealth, in reference to the disposition of bodies of persons whose cause of death may be the subject of inquiry by the coroner, but where it appears the cause of death is not surrounded by suspicious circumstances," by providing that investigations of deaths caused by accidents shall be made by the coroner of the county in which the accident causing death occurred

be placed on the postponed Calendar.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, I am about to make a request of the Senator from Allegheny, Mr. Barr, but first, for a moment, I would like to explain my reasons. Inasmuch as the provision in the Constitution requiring bills to be read at length is obsolete and the reason for it was that in the old days bills were not printed—I have just talked with a member of the Delaware State Senate and he tells me that down there they read bills in full when they are not printed, because they still do not print some bills in the State of Delaware.

Therefore, Mr. President, the thing only has the effect of a filibuster and I therefore suggest to and request of the Senator from Allegheny, Mr. Barr, that he allow us to return to symbolic reading of bills.

The PRESIDENT. Does the gentleman from Allegheny, Senator Barr, desire to answer the request.

Mr. BARR. Mr. President, several years ago the Democratic Party tried to call a constitutional convention and the Republican Party opposed it. I too think the Constitution of the State is rather obsolete, but as long as we have that Constitution in effect I am going to have to ask the Republicans to keep it as our Constitution and act under the provisions of that Constitution.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 425, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Crawford County, Pennsylvania, known as the Keystone Ordnance Plant, and ceding jurisdiction to the United States.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 430, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquistion by the United States of America of a tract of land in the Thirty-eighth Ward, of the City of Philadelphia, Pennsylvania, known as the Philadelphia Signal Depot, and ceding jurisdiction to the United States.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES. Mr. President, I ask unanimous consent that Senate Bill No. 443, on third reading, entitled:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by reducing the amount of the minimum fine which may be imposed for certain violations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 444, entitled:

An Act to repeal the act approved the fourth day of May one thousand eight hundred eighty-nine (P. L. 87) entitled "An act relating to sales of provisions by description"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the fourth day of May one thousand eight hundred eighty-nine (P. L. 87) entitled "An act relating to sales of provisions by description" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,
Woodring,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. SHAPIRO. Mr. President, for the information of the Senate and the gentleman from Delaware, I ask unanimous consent to make a statement.

The PRESIDENT. Is there objection The Chair hears none. The gentleman from Philadelphia may proceed.

Mr. SHAPIRO. Mr. President, the gentleman from Delaware a short time ago stated that the constiutional provision requiring the reading of bills at length was obsolete because at the time the framers of the Constitution put in that section all bills were not printed.

I should like to read for the information of the Senate Section 2 of Article 3 of the Constitution, dealing with the reading of bills. After providing for the reading of bills at length, Section 2 provides: "No bill shall be considered, unless referred to a committee, returned therefrom, and printed for the use of the members." Therefore the framers of the Constitution then knew and expected that all bills would be printed.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, I am glad the Senator from Philadelphia raised that question, and I wish to take a moment to say that what he did not think about is this, that they printed one copy, which was filed in a place convenient to the members of the Senate. Bills were not printed in quantity for the use of the Senators and all the citizens of the Commonwealth. As I say, they were printed in one copy, which was kept at a convenient place for the use of the individual Senators.

For the information of the gentleman from Philadelphia, I would like just to read what Noah Webster says about filibusters, which is: "The action of a member of a legislature or a deliberative body, who, in opposition to the proposed action of the majority, obstructs or prevents action by the extreme use of dilatory tactics, such as speaking merely to consume time." Mr. President, this is nothing more or less than a filibuster, concocted and devised to prevent the legislative body of this Commonwealth from doing its necessary duties in these very strenuous war times. I think it is an outrage.

Mr. SHAPIRO. Mr. President, I think that that message of Noah Webster should be read to the Minority Leader of Congress, Mr. Martin, who threatens a filibuster, unless certain legislation is passed, against an adjournment. I also think that ought to have been read to the Congressmen in Washington, most of whom were Republicans, who objected to the passage of a law which would show we were really fighting for democracy, when they were attempting to do something in the south which should have been done long ago. Those gentlemen conducted a filibuster that was a disgrace to the public.

This is a protest, and if it has to be done by a filibuster that is one thing, but it is a protest by the minority against the behavior of a majority who have continually disregarded the rights that we here represent.

Mr. HEYBURN. I know I am out of order, Mr. President, but if the Senate will permit me one minute I would like to make a short reply to the gentleman from Philadelphia.

The PRESIDENT. Has the Senate any objection? The Chair hears none. Permission is granted.

Mr. HEYBURN. Mr. President, the gentleman from Philadelphia, of course, has not clearly and truthfully stated the situation in Washington, but even if he did that would be no excuse for us to do a wrong thing. Two wrongs never made a right—that is a fundamental truth that all mothers taught their children—and the Senator from Philadelphia very well knows that if the Congress did something wrong there is no reason in the world why we should.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 445, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City and County of Philadelphia, Pennsylvania, known as the Philadelphia Armor Plate Plant, and ceding jurisdiction to the United States.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 449, entitled:

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of two thousand five hundred dollars ($2,500) or as much thereof as may be necessary is hereby specifically appropriated from the State Stores Fund during the two fiscal years ending May thirty-first one thousand nine hundred forty-five to the Board of Finance and Revenue for the payment of approved claims for refund of distillers' licenses

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 452, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties, Pennsylvania, known as Pennsylvania Ordnance Works, and ceding jurisdiction to the United States.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 453, entitled:

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The State Treasurer is hereby authorized and directed to transfer the sum of five thousand dollars ($5,000) received from the sale of real estate described in and authorized by the act approved the eighteenth day of April one thousand nine hundred forty-one (P. L. Laws 20) entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor to sell and convey two certain plots of land" and paid as provided by said act into the General Fund of the State Treasury from the said General Fund to the Motor License Fund Such transfer shall be made immediately after the effective date of this act upon the warrant of the Auditor General upon requisition of the Governor

The purpose of this transfer is to return to the Motor License Fund the funds paid therefrom for the purchase of the real estate conveyed under the provisions of said act approved the eighteenth day of April one thousand nine hundred forty-one (P. L. 20)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McCreesh,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 457, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the Forty-eighth Ward of the City of Philadelphia, Pennsylvania, known as the Philadelphia Quartermaster Depot, and ceding jurisdiction to the United States.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, inasmuch as this is a House bill, I ask unanimous consent that House Bill No. 460 on third reading, entitled:

An Act to add section six to the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 600), entitled "An act providing that appointive officers and employes, employed by the Commonwealth of Pennsylvania in its civil service, or by any department bureau commission or office thereof or by any county, municipality, township, or school district, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment, enrollment, or draft in the military or naval service of the United States or any branch or unit thereof, in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy; directing that one-half of the salaries or wages of such officers or employes as have dependent wives, children, or parents, and not exceeding two thousand dollars per annum, be paid during the term of their service in the Army or Navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes, respectively, and providing for the compensation of such substitutes" saving to members of the Pennsylvania Motor Police Force their right to increases in pay and certain advancements in rank.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 463, entitled:

An Act making an appropriation to the Department of Welfare for the purchase of furniture and equipment for the Philadelphia State Hospital

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred fifty thousand dollars ($150,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for the purchase through the Department of Property and Supplies of furniture and equipment necessary for the furnishing of three newly constructed buildings for the housing of sixteen hundred patients at the Philadelphia State Hospital

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 472, entitled:

An Act providing that every mine foreman, assistant mine foreman and fire boss under the Bituminous Mining Laws and the Anthracite Mining Laws of the Commonwealth represent and are officers of the Commonwealth in the mines in which employed; for the suspension or cancellation of the certificates of such officials as shall hold same and for the disqualification of such as are uncertificated by the Secretary of Mines after or prior to hearing for failure or refusal to perform their respective duties; defining the procedure in such hearing and the powers of the Secretary of Mines with respect thereto and providing for a review of his decisions by the Court of Common Pleas of Dauphin County and the Superior Court; providing for re-examination by the Examining Board of any person whose certificate has been cancelled and for reinstatement of such as are uncertificated; and prohibiting the employment by any operator of any person not possessing the requisite certificate or whose certificate is suspended or who has been disqualified.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COLEMAN. Mr. President, since this bill has been read at length three times and we will not be subjected to that again, and since there are provisions with which I am not quite familiar, I would like to have an opportunity to study the bill, and accordingly ask that it go over in order.

Mr. WOODWARD. Mr. President, may I ask the gentleman from Lackawanna a question for my information.

The PRESIDENT. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. COLEMAN. Yes, Mr. President.

Mr. WOODWARD. Mr. President, in the anthracite region there are a great many miners who have been certified, who are leaving the mines in order to go into munitions factories and obtain higher wages. As a matter of information I am merely asking the Senator from Lackawanna, since there is a dearth of workers to get out coal if he knows how long it takes for a man who has never been a miner to get a certificate in order to work in the mines. I am merely asking for information, how long does it take to get a certificate?

Mr. COLEMAN. Mr. President, I am not familiar exactly with the law with respect to the issuance of certificates, but my understanding is that an applicant must have some years of practical experience in practical mining, he then takes an examination and if he passes favorably he is granted a certificate.

Mr. WOODWARD. How long does it take?

Mr. COLEMAN. My impression is that it takes something like ten years. I am not exactly sure.

Mr. WATKINS. Mr. President, I think the procedure is that the local mine examining committee, which is appointed by the Court of Common Pleas in the various counties, examines miners who have had from five to ten years experience in practical mining and gives them oral examinations before a certificate is recommended to the Department of Mines and then a certificate is granted by the Secretary of Mines to the foreman.

BILL OVER IN ORDER

Mr. COLEMAN. Mr. President, I ask unanimous consent that Senate Bill No. 472, on final passage go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 474, entitled:

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth together with the rentals derived therefrom shall be repaid to and credited to the proper special fund from which the funds to purchase said real estate were taken

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The proceeds of the sale of any real estate owned by the Commonwealth when sold by any department board or commission thereof with the specific authority of the General Assembly as provided by existing law together with any rentals derived therefrom while the same shall have been owned by the Commonwealth shall be paid into the General Fund of the State Treasury unless said real estate shall have been purchased with funds paid either wholly or mainly out of special funds in which event said proceeds of sale or rentals shall be paid to and credited to the proper special fund

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, it seems to me that this bill puts the Commonwealth of Pennsylvania into the real estate business. It looks like all the property taken in connection with bridge construction and other construction for public purposes may now be leased or rented by the various departments which, as I say, places the Commonwealth of Pennsylvania in the real estate business.

I shall vote "no" on this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 477, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by transferring to the Pennsylvania Public Utility Commission the powers and duties conferred and imposed upon the Department of Revenue, and directing that the cost of administering said act shall be segregated on the books of the commission.

On the question,

Will the Senate agree to the bill on third reading?

Mr. JONES. Mr. President, I ask unanimous consent to offer amendments to the title of Senate Bill No. 477, which is to add the words "and changing disposition of penalties collected."

The PRESIDENT. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Add to the title the following words: "and changing disposition of penalties collected."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

LEAVE OF ABSENCE

Mr. MALLERY. Mr. President, I ask leave of absence for the remainder of the day on account of illness in the family.

The PRESIDENT. Is there objection? The Chair hears none. Leave is granted.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 478, entitled:

An Act to amend section two of the act approved the second day of June one thousand eight hundred and eighty-three (P. L. 61) entitled "An act supplementary to an act entitled 'An act for the incorporation and regulation of corporations' approved April twenty-ninth one thousand eight hundred and seventy-four authorizing the incorporation of pipe lines for the transportation of petroleum and providing for the exercise of the right of eminent domain in taking lands and property for such purposes" by enlarging and extending the powers of such companies including the acquisition and disposition of franchises shares of stock and property of such companies in this and other states the distribution and storage of oil and petroleum products the use of connecting lines and equipment of other companies and producers and refiners the construction and maintenance of connecting pipe lines or branches pumps tanks and other equipment within and without the State extending the power of eminent domain preserving the jurisdiction of the Pennsylvania Public Utility Commission and regulating the laying of pipes by such companies and by foreign companies including companies incorporated under the Act of Congress and the erection and protection of storage tanks

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the second day of June one thousand eight hundred and eighty-three (P. L. 61) entitled "An act supplementary to an act entitled 'An act for the incorporation and regulation of corporations' approved April twenty-ninth one thousand eight hundred and seventy-four authorizing the incorporation of pipe lines for the transportation of petroleum and providing for the exercise of the right of eminent domain in taking lands and property for such purposes" as amended by the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (P. L. 896) is hereby further amended to read as follows

Section 2 All companies incorporated or hereafter to be incorporated under the provisions of the act to which this is a supplement and its supplements for the purpose of the transportation and storage or distribution of oil or any petroleum product by means of pipe lines pumps and tanks or other equipment for the public shall have the power to take hold purchase or otherwise acquire and sell and transfer or otherwise dispose of such real and personal property and franchises including shares of stock in any other pipe line company or companies whether incorporated under any such act or under the laws of any other state or states as the purposes of the corporation or national interests may require [not exceeding the amount limited by its charter together] with the consent of the holders of a majority of the voting stock of the corporation respecting any sale of all its assets

Every such company shall have the right to appropriate and [take] condemn lands easements and rights of way for locating and constructing or laying and operating necessary pipes pumps tanks pump houses structures and offices and [laying down it pipes or tubes] making connections and extending branches necessary and incident to the carrying on of its [said] local or interstate business [of transporting and storing oil for the public through and within this Commonwealth] for the benefit of the public within and without this Commonwealth

The powers of any such company shall include any transportation and storage or distribution of any petroleum product or oil by means of the use of connecting pipe lines and equipment belonging to other pipe line companies or to any producers or refiners of oil or petroleum products and with the right to construct or purchase maintain and operate and to sell or dispose of any connecting pipe lines or branches and necessary pumps tanks and other equipment located partly or wholly without this Commonwealth with like consent of the holders of a majority of its voting stock or to sell or exchange any of its stock with any other pipe line company or companies subject to the approval by the Pennsylvania Public Utility Commission of either the purchase or sale or exchange of any such stock as an incident of the extended [and for all necessary] purposes of the corporation and including in all cases the right to cross railroads and the right to appropriate a right of way and locate its [pipes or tubes] pipe lines or branches upon and over under and across any lands waters streams rivulets roads turnpike roads canal or other public highway or property or private lands not however passing through any burying ground or place of public worship or any warehouse mill manufactory store school or dwelling house hospital or institutional home without the consent of the owner or owners thereof being first had and obtained [Provided That when said]

When any such pipe line is located through over under or upon the streets lanes alleys or highways within the corporate limits of any city or borough the consent of the municipal authorities to said location shall be first had and obtained which consent said municipal authorities within this Commonwealth are hereby empowered to give upon terms to be agreed upon by said city or borough authorities and said corporation [And provided further in] In case said pipes cross any railroad or canal within this Commonwealth the same shall be located under or above the same so [however] as not to interfere with the use of the same or to endanger the traffic thereon or thereover

[Provided further That corporations] Corporations organized under this act and its supplements shall not take a fee in any lands acquired under any of its provisions except such as are acquired by actual purchase [and that upon] Upon the abandonment for the purposes of transporting and storing or distributing oil or petroleum products any lands taken by any company [organized under the act to which this is a supplement and its supplements said lands so taken] otherwise than by actual purchase shall revert to the original owners or their successors

[And provided further That any] Any pipe line company domestic or foreign including any company incorporated by the Act of Congress so laying its pipes [under the provisions of this act] in occupying any lands cleared and used for agricultural purposes shall bury the same at least twenty-four inches below the surface [and if] If any line of pipe shall be laid over or through any waste or woodland which shall afterwards be changed [from waste or woodland] to farming land then it shall be the duty of the pipe line company to immediately bury the pipe to the depth of at least twenty-four inches as aforesaid [Provided That all] All pipe lines shall be laid above the flood lines or beneath the bed in crossing creeks and rivulets

[And provided further That any] Any company laying a pipe line [under the provisions of this act] shall be liable for all damages occasioned by leakage breaking of pipes or tanks or any negligence in the construction maintenance or operation thereof [Provided further That all] All tanks erected for the storage or transportation or distribution of oil or any petroleum products shall be protected and surrounded by proper ditches and embankments so that in case said tanks [should] shall break or be broken the oil or petroleum product stored cannot damage adjoining or adjacent property

The construction maintenance and operation or removal of every part of an interstate pipe line or branches thereof located within this Commonwealth shall remain subject to the Public Utility Laws of the Commonwealth notwithstanding any ownership or control of such property or franchises by any pipe line company incorporated under the laws of any other state

Section 2 The provisions of this act shall become effective immediately upon final enactment

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RESOLUTION

COMMITTEE BE APPOINTED TO ESCORT THE GOVERNOR AND GUESTS TO THE HALL OF THE HOUSE

Mr. KEPHART. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KEPHART offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 13, 1943.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, and distinguished guests to the Hall of the House to address the Members of the General Assembly in Joint Session, on Wednesday April 14, 1943, at 12 o'clock noon, in commemoration of the birth of Thomas Jefferson.

PROCLAMATION BY THE GOVERNOR—JEFFERSON BICENTENNIAL DAY

The Chair cleared his table and laid before the Senate a proclamation by His Excellency, the Governor of the

Commonwealth of Pennsylvania, which was read by the clerk as follows:

IN THE NAME AND BY AUTHORITY OF THE

Commonwealth of Pennsylvania

Governor's Office

Harrisburg

PROCLAMATION

JEFFERSON BICENTENNIAL DAY

Two hundred years ago Thomas Jefferson, one of the American Immortals, was born at Shadwell, in the Crown Colony of Virginia. Two centuries have passed but his name endures as one of the great liberals of modern times. Across the years of war, peace progress and national development he stands as one of the familiar and significant figures in the deliberations that shaped the framwork of our government and laid the foundations of our free Republic. The Declaration of Independence, drawn by his hand, is his living memorial and his everlasting monument.

He had supreme and unshaken faith in the common sense and honesty of the people. He believed, as all Americans believe, that majorities should rule by right and reason, and not by armed force. Not one of the statesmen and leaders of the American Revolution left a deeper imprint upon the Nation. The verdict of History has given him a secure place among the great dead of America.

It is fitting that the bicentennial of the birth of this patriot and statesman, lawmaker, philosopher, mathematician and economist be appropriately observed. To that end the Congress of the United States established the Thomas Jefferson Bicentennial Commission. To that end the General Assembly created a similar commission for Pennsylvania, and by the Concurrent Resolution adopted April 7, 1943, has requested the issuance of a Proclamation commemorating the 200th Anniversary of the birth of the great American who devoted his life to freedom of thought, freedom of speech, freedom of religion and freedom of government.

Now, Therefore, I Edward Martin, Governor of the Commonwealth of Pennsylvania, do hereby proclaim Tuesday, April 13, 1943 as JEFFERSON BICENTENNIAL DAY, and ask all citizens to observe that Anniversary by reading that immortal document, the Declaration of Independence, and by appropriate exercises.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this twelfth day of April, in the year of our Lord one thousand nine hundred and forty-three, and of the Commonwealth the one hundred and sixty-seventh.

EDWARD MARTIN.

By the Governor

C. M. MORRISON
Secretary of the Commonwealth.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until 3:00 o'clock p. m.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elasped the Senate will be in order.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL No. 213, PRINTER'S No. 73

Commonwealth of Pennsylvania,
Goevrnor's Office, Harrisburg, April 13, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 213, Printer's No. 73, entitled "An Act to further amend the third paragraph of section one thousand four hundred and thirteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the provisions for the education of physically and mentally handicapped children.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 544, entitled:

An Act to reenact and amend the title and the act, approved the fourteenth day of June, one thousand nine hundred thirty-five (P. L. 341), entitled, as amended, "Cigarette Tax Act," as previously re-enacted and amended, by extending the provisions of the act for a further limited period of time.

Which was committed to the Committee on Finance.

House Bill No. 545, entitled:

An Act to further amend section four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled, "Liquid Fuels Tax Law," by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

Which was committed to the Committee on Finance.

House Bill No. 546, entitled:

An Act to reenact and amend the title and the act, approved the sixteenth day of May, one thousand nine hundred and thirty-five (P. L. 208), entitled, as amended, "Corporate, Net Income Tax Act," as previously reenacted and amended, by extending the provisions of the act for a further limited period of time; by further defining net income; authorizing the Department of Revenue to grant an additional extension of time for filing reports; changing the method of reporting in certain cases; and reducing the interest penalty on unpaid taxes.

Which was committed to the Committee on Finance.

House Bill No. 547, entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entited "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons

Which was committed to the Committee on Finance.

House Bill No. 548, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time.

Which was committed to the Committee on Finance.

House Bill No. 1056, entitled:

An Act abolishing the entire Mercantile License Tax System repealing the various license taxes under said system except as to taxes already due abolishing certain offices and employments, providing for the collection of delinquent taxes providing for the final settlement of accounts between the Commonwealth and county treasurers and making certain repeals.

Which was committed to the Committee on Finance.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 131, entitled:

An Act to amend section five of the act approved the fourteenth day of May, one thousand nine hundred fifteen (P. L. 524), entitled "An act creating a fund for the purpose of rebuilding, restoring, and replacing buildings, structures, equipment, or other property of the Commonwealth of Pennsylvania, damaged or destroyed by fire or other casualty, and regulating the placing of insurance thereon, and providing penalties for any violation of the provisions of this act," eliminating the exception of armory buildings owned by the Commonwealth and under the supervision of the Armory Board from the provisions of said act.

House Bill No. 228, entitled:

An Act to further amend section four hundred ten of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled "Pennsylvania Liquor Control Act," by postponing the time for the taking effect of orders of the Pennsylvania Liquor Control Board; suspending or revoking licenses for a period of twenty days during which time the licensee may take an appeal.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGE

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 12, 1943.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday evening, April 19, 1943, at four o'clock, and when the House of Representatives adjourns this week, it reconvene on Monday evening, April 19, 1943, at nine o'clock.

APPOINTMENT OF COMMITTEES TO ESCORT HIS EXCELLENCY THE GOVERNOR TO THE HALL OF THE HOUSE

He also informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 13, 1943.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, and distinguished guests to the Hall of the House to address the Members of the General Assembly in Joint Session, on Wednesday, April 14, 1943, at 12 o'clock noon, in commemoration of the birth of Thomas Jefferson.

The PRESIDENT. On behalf of the PRESIDENT PRO TEMPORE the Chair announces as the members of said Committee the Senator from Clearfield, Mr. Letzler, the Senator from Mercer, Mr. Thomas, and the Senator from Westmoreland, Mr. Dent.

PERMISSION TO ADDRESS SENATE

Mr. COX asked and obtained unanimous consent to address the Senate.

Mr. COX. Mr. President, as the members of this Senate know, I have been deeply concerned with the question of the Parole Board for the last three years. On the basis of my experience in this Senate I have come to the conclusion that one of our difficulties is the fact that we wait until the bill is on the second reading Calendar before we attempt to do anything about it.

Yesterday a bill was introduced in the Senate of Pennsylvania which would have the effect of amending the Parole Board Act. There are certain patent defects in this bill and there are certain amendments which I feel will make the Parole Board better.

The defects, however, are so great that if this bill should pass in the form in which it has been introduced in the Senate, it would destroy the whole idea of the proper granting of paroles in Pennsylvania and parole supervision of persons released from our penal institutions.

The first provision of this bill provides for a decrease in the number of members of the Parole Board and a decrease in the compensation paid to them. I have no objection to that amendment and I am perfectly willing to bow to the opinion of the sponsor of the bill in this regard.

As far as the present board is concerned I have no interest in the personnel. All I am concerned in is that if this amendment is made and there are new appointments made, the Governor shall appoint people who are sincerely interested in the problem and will adequately administer it.

This bill takes a great part of the jurisdiction of the Parole Board away from it, in that it amends the act to provide that the Parole Board will have jurisdiction over all those persons released on parole whose maximum sentence is three years or greater. This would indicate to me that the persons responsible for the preparation of this bill are not familiar with statistics relative to the number of persons in the group between a maximum of two years and a maximum of three years. It could have no effect on decreasing costs of administration of parole, but would in principle undermine and weaken the proper functioning of parole.

Probably the most vital defect in the bill is the fact that it completely [illegible] out appointment of supervisors of parole by civil service and their protection under civil service. Persons who are acquainted with the administration of parole in Pennsylvania under the act of 1929, when it was administered by the Department of Justice, known that the whole gesture was futile and ineffective. I have talked with many of the men who worked under the Department of Justice. The first board to function in Allegheny consisted of men who were trained at the University of Pittsburgh and practically in the Western Penitentiary and I will say there will never be any department under any Parole Board that will have a finer staff of employes, but I regret to say that when the Democratic Administration came into being, these people, being political appointees, were removed and then when the Republicans came back in power they again removed the Democrats.

The supervision of parole is a matter that takes long and intelligent training. You do not have to be a college man to be a supervisor of parole—you can have a good practical understanding of human nature and the psychology of people and be a good parole officer—but certainly you have to have training of some kind or from some place in order to be a proper supervisor of parole and if we are going to make the appointees of this department political footballs in the future, I know you can appreciate how ineffective this grand idea which we adopted in 1941 is going to be.

This bill also provides that for a short period after the minimum term of any person incarcerated has passed and the parole Board had not taken definite action to release him, there can be an appeal to the Board of Pardons. I personally can not understand this provision, which would seem to indicate to me a complete lack of knowledge, on the part of the persons who wrote that into the bill, of the whole philosophy back of the idea of having minimum and maximum sentences. Whether you realize it or not, the maximum sentence is the sentence of the person sentenced to the institution and we give a minimum sentence because we feel if a man has been properly rehabilitated during his term of incarceration, we may be able to return him to society where he can take his proper place, and to dogmatically say because a man has served his minimum sentence he should be eligible for a parole seems to me to be a misunderstanding of everything pertaining to our method of sentencing.

And then too, in another section of this bill we have removed jurisdiction over parolees from our junior institutions of White Hill and Huntingdon. My investigation has disclosed to me that there has been no proper parole supervision of persons removed from these institutions in the past, and under the terms of the bill there is no provision made for proper supervision in the future, and again, unless you have other plans for supervision through parole, I can not understand why you would remove these parolees from the operation of this act.

These are only brief statements on this matter, and I hope that you will consider them in the Committee of Judiciary General, Senator Walker, when you have a meeting of that committee to consider this bill, and I hope that you will invite to that committee meeting any members of the Senate who are interested in this bill but who are not members of that committee.

I am very hopeful that perhaps in that committee we could sit down and discuss the matter on the basic of cold facts and intelligence, and perhaps be able to change some of the iniquitous sections of this bill so that when it comes out we will have something that we are proud of.

I have indicated that there are certain sections of the bill which I like. I think that the section giving additional authority to the Parole Board on flat sentences is a good thing and unquestionably is to correct an omission in the old bill.

I think the section which provides or seems to take Senatorial cognizance of the fact that the present Parole Board has not sufficiently used the data and the information which the judges and persons having supervision of reformatories have available is also a good section.

MEMORIALIZING THOMAS JEFFERSON

The PRESIDENT. Today marks the two hundredth anniversary of one of our country's distinguished leaders. Thomas Jefferson.

As you all know, he was a champion of individual liberty and one of the most important drafters of the Declaration of Independence and of our form of government, which has enabled us within the short period of one hundred and fifty years to become the greatest nation in the world.

The Chair now recognizes the gentleman from Westmoreland, Mr. Dent, who desires to say a few words in commemoration of this great event.

Mr. DENT. Today, after the passage of 200 years—years that add a Holiness to the name of this great American, I wish to take a little of the time of this Senate to add a few observations to the many volumes of the written and spoken words concerning his life, his work, his ideals and beliefs. I speak, of course, of Thomas Jefferson, the man who wrote the words that set for all time the keynote of the Commonwealth of man. For when he changed the words Life, Liberty and Property; to Life Liberty and the Pursuit of Happiness, he was breaking with an age old tradition, a tradition that had made the common man a slave to property since the beginning of time.

Of course, after so many years we try to remember only the oustanding achievements of his career. Every man, woman and child in America knows Thomas Jefferson for his great part in the drama enacted in and around the year of 1776, the Declaration of Independence, the Revolutionary War, the framing and adoption of our Constitution, the fight for the Bill of Rights and his life long battle to keep human rights above property rights.

Thomas Jefferson was the first man in all the world's history to acknowledge in writing, followed by deeds, the proposition that men are not only created equal, but that all men are equal. What makes this fact even more important is that his entire background was one that would have dictated a course in life directly contrary to the life he lived. Born and reared in the then traditional Early American land-holding aristocracy, he set aside the natural inclinations one would expect him to follow and gave every ounce of the thought of his fertile brain to the uplift and betterment of the common man.

In no page of history can there be found a career to parallel the life of Thomas Jefferson, he gave so much to so many, and yet, gentlemen of the Senate, in reading the life of Jefferson a person finds that it would be difficult to find any man in all American History who fathered and sponsored more radical and unsound theories. However, I personally believe that radical thoughts of men are the beginning of all reform and the spawning grounds from which all freedoms for the individuals spring.

If one were to take some of the letters written by Jefferson to his close associates and take his radical suggestions and put them into book form, that book would immediately be condemned by Martin Dies as a subversive and Anti-American document. As an example, let us recall what he said in part about debt in Government. He claimed that no generation had the right to contract a debt beyond that generation's life expectancy. He starts out with the assertion that it is a self-evident proposition that the earth belongs to the living, that the dead have neither power nor rights over it and that if a debt survives a generation which contracts it, then the heirs to the earth receive a burden imposed by and for the dead.

Again, at the time of Shay's rebellion, he said, "If the happiness of the mass of people can be secured at the expense of a little tempest now and then, or even of a little blood, it would be a precious purchase. A little rebellion now and then is a good thing, it is a medicine necessary for the sound health of government." Can you imagine the consternation of his colleagues when he ended by saying "God forbid we should be twenty years without such a rebellion—what signify a few lives lost in a century or two, the tree of liberty must be refreshed from time to time with a blood of patriots and tyrants, it is its natural manure."

One could go on for hours, but enough to show that along with being a genius, Thomas Jefferson was still a man subject to the ordinary mistakes and impulses that guide the least of us.

It is said by some historians that his unsound schemes on finances were caused by his dislike and distrust of Alexander Hamilton, yet it is strange when one considers the bitterness between these two men to note that without Hamilton's influence, Thomas Jefferson might never have been President of these United States. Sometimes one wonders whether Hamilton liked Jefferson less or hated Aaron Burr more in making the decision that made Thomas Jefferson the third President of this Nation.

While speaking of the election of 1800, let us recall that as a result of the popular vote Thomas Jefferson was elected President. A group of Federalist friends of Hamilton determined to set aside the will of the people and Hamilton went to see Jefferson with the proposal that his, Hamilton's friends would be kept in their respective jobs if he would support and throw the election to Jefferson. This was the only time in Jefferson's life that he was willing to endanger the very existence of this new Union and actually sanctioned the civil war rather than make a deal that would make him President by compromise. It is well to note at this time that unlike most men seeking public office, Thomas Jefferson did not seek the Presidency, but the Presidency sought him.

While Vice-President, Jefferson made the following observation: The second office of the Government is honorable and easy, the first is but a splendid misery.

Jefferson was notoriously a political visionary, his feats in seeing his new political party triumph was not a personal satisfaction, his gratification was both honorable and patriotic with little tinge of selfishness and none of malignity. His joy was for the people rather than himself and was really based on the establishment of sound principles more than on his own elevation. It was because of these high ideals that he refused the compromise with Hamilton involving political patronage. Although he kept many Federalist appointees in their offices, he did make wholesale changes in the departments jammed with job holders by President Adams even up to and including the day he left office.

I sometimes wonder if this much vaunted two party system of Government of ours will be able to survive the demands being made for permanency in governmental appointments. I believe if Jefferson were alive today he would join with other liberal and sincere Americans in fighting such un-American, un-Democratic acts such as the Hatch Act and some of the so-called Civil Service Acts. I don't believe that Jefferson ever intended that a citizen's right of franchise to participate in elections was conditioned upon the manner in which a citizen earned his living.

If any danger thereatens our form of government it will not be found in the biased political beliefs of job holders, but will be found in the biased political newspapers and periodicals which own and control the methods by which public opinion is created.

Jefferson was willing to sacrifice his opportunity to be President for the greater glory of sustaining the right of the majority to control the destiny of this Nation.

Every time an election result is changed by a group in power to suit their own selfish needs and desires, we are driving another nail into the coffin of our Democracy. I refer, of course, to actions such as that taken by this Senate when, contrary to all the rules of honor, of Justice and of Democratic principles, Senator Levine was unseated after being duly elected by the people of his district. As a direct comparison with that incident, compare the action taken in the case of a present member of the Senate, whose election was even more questionable than that of Levine. I call your attention to these matters to show you the difference in men. Here was a man who, for principle was willing to lose the greatest honor in the land as compared to men whose party interests supersede if not their love, at least their understanding of the constitutional rights of the American people.

I believe, with Jefferson, that no permanent injury can befall our institutions if left in the hands of elected officials, although civil service requirements may make for a more efficient form of government and I say this is a doubtful premise. We are witnessing a great and terrible war that was a direct growth of the so-called efficient European governments. It was the cry of Fascism, Communism and Nazism against the inefficiency of politicians, that gave them their power and made them successful. If we must sacrifice our Democratic way of life by taking away from the elected officials the power of government and giving the appointed administrators powers never intended by our system of government, then I personally feel that we may be justified in sacrificing some of our efficiency if in so doing we remain free.

Jefferson fought and won the greatest battle for commonality when our Bill of Rights was finally accepted.

The four freedoms that we are now engaged in a great war to preserve and foster are not an expansion on the principles af Jefferson, but merely an expansion of the territory and the peoples affected.

It would takes volumes to read into the records his many achievements as a scholar, an author, an inventor, an educator, a farmer, a statesman, a politician and a liberal.

I once found these words somewhere, and they left me convinced that Thomas Jefferson had a very profound and honest faith in his avowed principles, expecting indeed to gain by them, but only because he thought they were fundamentally right and therefore sure in time to prevail. He differed from the time-saving politician, because he staked his individual success upon the success of what he deemed intrinsically right principles. He differed even from the statesman who acts conscientiously upon every measure, inasmuch as, beyond devising specific measures, he set forth a broad faith or religion in statesmanship, making special measures only single blocks in the wide pavement of his road. He was sometimes insincere, often inconsistent, generally prone to shun hurt and danger to himself; but from the time when he began his graet reforms in the Virginia House of Burgesses, the general tendency and large lines of his purposes and policy held with such steadiness in the noble direction of a perfect humanitarianism. To this day the multitude cherish and revere his memory, and in so doing pay a just debt of gratitude to a friend who not only served them, as many have done, but who honored and respected them, as very few have done.

PERMISSION TO ADDRESS SENATE

Mr. WOODWARD asked and obtained unanimous consent to address the Senate.

Mr. WOODWARD. Mr. President, whenever I hear a New Deal Democrat laud Thomas Jefferson, whether it is Senator Dent or Franklin Delano Roosevelt I get a bad taste in my mouth and a chill up and down my spine, because if there are some remnants of Jeffersonian democracy left in this country, the Republican Party has it. It is the Republican Party that has taken over Thomas Jefferson as their patron saint.

It does not make so much difference about it being two hundred years today since his birth—and incidentally, I think it is a shame that Governor Martin does not know the exact date of his birth—we are going to celebrate tomorrow—but the truth of the matter is it makes a whole lot of difference where a man dies. When he dies is much more important than when he is born, or where he was born.

It is interesting to note, and no doubt Senator Dent knows that Thomas Jefferson and John Adams died on the 4th of July, 1826; they were very intimate friends before their death, and during the last hours of Jefferson's life, Adams inquired whether Jefferson still lived.

I would not be on my feet, except I think some Republicans must recognize our patron saint, Thomas Jefferson. Thomas Jefferson was elected, as you know, in 1800 by one vote over Aaron Burr by the Electoral College.

Jefferson said many wise things, but I will mention only one of them, and I am sure that Senator Dent will recognize the force of this Jeffersonian principle, and also how much the New Deal has sinned against this principle. It was Thomas Jefferson who said "That government governs best that governs least." At the last count, Mr. Roosevelt has on his payroll—at least the New Deal has on its payroll—three and one half million people. Of course, it is a good while ago since Thomas Jefferson was inaugurated President, but he rode horseback, hitched his horse to a hitching post and was sworn in as President of the United States, and, of course, in all these years times have changed materially, but I submit to the Democrats who want to be Jeffersonian Democrats to remember the slogan "that government governs best which governs least," and I would like to see some of the three and one half million payrollees given one way tickets home.

PERMISSION TO ADDRESS SENATE

Mr. WATKINS asked and obtained unanimous consent to address the Senate.

Mr. WATKINS. Mr. President, I just have a few words to add to the discussion. I, too, would like to join Senator Dent and the Democratic Party in paying honor to their founder, but I would like to read the exact words of Thomas Jefferson in defining what is meant by Jeffersonian democracy.

The principle of Jeffersonian democracy, in Jefferson's words is: "A wise and frugal government, which shall restrain men from injuring one another and leave them otherwise free."

BILL ON THIRD READING

SENATE BILL No. 18 CALLED UP

Mr. HEYBURN. Mr. President, I call up at this time Senate Bill No. 18.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 18, on third reading, entitled:

> An Act relating to parole; abolishing the Pennsylvania Board of Parole; reestablishing the jurisdiction, powers and duties of the courts and of the Board of Pardons with respect to parole; and authorizing the employment by the Attorney General of a Supervisor of Paroles and field agents.

be recommitted to the Committee on Judiciary General.

Mr. WALKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. JASPAN. Mr. President, when I introduced Senate Bill No. 18, which is now the subject of discussion, I emphatically stated, and it is a matter of legislative record that there is need for a strong parole law, with teeth in it but the present law falls far short of its objective. I realized that upon the presentation of this bill, I exposed myself to the risk of unfavorable criticism and possibly attacks from many sources. Needless to say, my critics did not spare me in the least, even to the point of injecting personalities and party politics into the issue in order to divert attention of the public from the important problem confronting us, and to force me to withdraw this all-important bill. However, the roar of the winds will not veer me from my chosen course.

The problem of parole has always been non-partisan. In 1941 when the present law was enacted both Republicans and Democrats voted for and against the bill. In 1942 it was treated as a non-political and non-partisan measure, and it is equally true to-day. I offered this bill without consulting leaders and members of either party. I acted on my own initiative. I challenge anyone in or out of the Senate to refute this statement I have just made. Certainly I welcome support from both sides of the House. The attempt to attach party politics to my bill is for the purpose of beclouding the issue. Gentlemen, my liberal record in this body speaks for itself. I need no apologies. I offer none. However, I am not the issue to-day. The Republican party is not the issue to-day. Nor is the Democratic party. The all-important problem is parole.

I am opposed to the Parole Act of 1941 because I consider it weak, confusing, extravagant, affords a medium for political patronage, and as falling short of its original purpose.

It is only necessary to advert to the recent decision of our Supreme Court concerning this Parole Law to appraise its true character. Justice Stern, speaking for the majority of the Court in the case of Commonwealth of Pennsylvania, ex. rel., Elmer Banks, vs John J. Cain, plainly stated: That the Court is not concerned with the wisdom of the underlying policy of the Act. "The sole question presented to us is that of the validity of the Act."

It is clear that, in upholding the constitutionality of this law, the Supreme Court merely approved it as to form, and avoided any expression of opinion as to its substance—whether good or bad. However, Justice Drew, in behalf of himself and Justice Patterson, in a learned dissenting opinion, focussed his attention on the substance of the Act. He declared:

> "It should be a[illegible] that the [illegible] materially different from that proposed by the Commission of eminent citizens appointed by the Governor to investigate and report on the application of criminal penalties in the Commonwealth and the operation of its probation and parole systems and to make recommendations for the improvement and strengthening thereof. The law as enacted needlessly creates an extravagantly expensive system of parole, by permitting the present costly county parole system as well as that of the Board of Pardons, to continue to function although it calls for an "exclusive" system of parole; it places the appointment of an unlimited number of parole officers and employees in political hands; and it is so inartistically drawn that, even if its many and serious defects are now overlooked, it is bound to result in confusion and litigation before its true character is ascertained."

More recently, in fact a few days after Senate Bill No. 18 was introduced, the Philadelphia Inquirer which, I believe, is as much interested in decent legislation in Pennsylvania as any other newspaper in this State, asserted in an editorial that the present Parole Law is unsound; that the present Board was autocratic, and it was a matter demanding immediate attention by the new Legislature at Harrisburg. It goes on to say:

> "The first step in this direction has already been taken with the introduction in the Senate of a bill abolishing the present Board. That should be followed up by a re-examination of the parole system, leading to establishment of an improved system of prisoner release and rehabilitation.
>
> "The existing Board is lopsided with too much authority and deluded with million-dollar ideas for spending the taxpayers' money.
>
> "The five members have the final say on all matters relating to the parole of prisoners in State and county institutions in Pennsylvania. Their word is law. If they make mistakes there is no one to reverse their decisions. It is up to them alone to determine the length of a convict's term. It is up to them alone to build a huge army of probation officers, investigators, clerks and other employees.
>
> "The lavish scale upon which the present members expect to operate is evident from their amazing request for an appropriation of $1,650,000 for the coming biennium. No such carrying charges were ever visualized when plans were laid for inauguration of the new parole system. . . . .
>
> "The prime defect, however, lies in the vast, quasi-judicial powers held by the Board. Some of the present members are qualified for their posts. But there is nothing to prevent the appointment in future of those who are not qualified—untrained persons whose only interest, perhaps, would be a political or mercenary one, or who would see in this important State agency nothing better than a rooming house for lame ducks; or convict-coddlers who would unchain the prison doors for criminals unfit for freedom.
>
> "A Board with such broad powers might even be tempted by the possibilities of easy graft or the seeking of political favors
>
> "A superior authority, certainly, whether the Governor or some special agency, should have the power of review and rejection of the Board's recommendations.
>
> "The existing law is obviously unsound. The time to change it is right now at the outset of the legislative session. Parole reform is absolutely essential."

Moreover, it is a matter of public record that a number of prominent jurists and other persons whose names are well known to every member of this chamber and whose integrity is unimpeachable, expressed their unequivocal opposition to the existing law. At a hearing before the Judiciary General Committee, Warden Smith, whose views should command our highest respect, declared, in effect, that in the short time the Parole Board has been in operation it created more bedlam and chaos than he had ever experienced before. Major Pennington, who also appeared before this Committee, summarized his views by preferring the system which prevailed before the enactment of the present Parole Law.

Many judges and professional men could not possibly attend the public hearing on account of pressure of business. However others, eager to attend to express their views, hesitated because the critics of the bill in their desperation to cloak the true character of the bill, injected party politics into the matter. A third group, a rather timid one, wanted to avoid any involvement in a smear campaign. Their motives would have been impugned; their characters and reputations attacked by those who make a practice of hitting below the belt.

The Act was conceived, sponsored and concocted for the most part by impractical dreamers and theorists with no actual working knowledge of the parole needs of the individual prisoners and who hoped to impose their academic theories of prison reforms, regardless of cost, upon the taxpayer, a sort of Eden, a demi-paradise where their fertile imagination could thrive like the proverbial greenbay tree. It was in fact sired by the theorists and damned by the realists. Even Governor James who appointed the committee to investigate the problem, couldn't stomach it, although despairing of getting anything better, and making the best of a bad situation, he reluctuantly signed it. You know what happened in 1942 when he asked the legislature to postpone the effective date.

Thus far, we have charged the system with being weak, confusing, very extravagant, a political grab-bag and as presenting greater opportunities for graft and corruption.

I want to point out that I do not condemn the Parole Act solely because of its extravagant set-up, since if the money were wisely spent, it would be well worth the expenditure, but I condemn it because taken as whole, its fundamental vices overweigh its good points and because it has needlessly interfered with the proper exercise of judicial power and the constitutional functions of the Board of Pardons without substituting anything better or of value for it.

Further, I do not condemn it solely for the political patronage it might afford in setting up elaborate system of jobs, but the most important question is the prisoner's future. Can it best be determined by the judge who tried the case and who thoroughly studied the prisoner's background so that he could make a humane disposition of the case after sentence or by the cold impersonalized machine or robot that we call a Parole Board whose life blood is a group of professionalized social workers, and whose heart is an inflexible, unfeeling yardstick.

I am not unmindful of certain minor imperfections in our original parole system. Such imperfections are bound to arise where human beings are involved. They are not scientific mechanisms whose conduct can be determined with mathematical certainty. Yet, the proponents of the existing Parole Law would have us believe that they have discovered the exact formula of human character and can dispense justice with the precision of an adding machine.

Mr. President, the present Board may be offered as "Exhibit A" to sustain my position in ripping out the present Parole Law. Need I refresh the recollection of those who heard Dr. Robinson, and to tell others who missed the spectacle of the type of man who dominates the present Parole Board. He is the embodiment of the spirit of the Board itself and he is the Court of final appeal accountable to no one but himself, the typical p[illegible]st, to whom the prisoner is fundamentally an outcast, a case history, a derelict to whom every kindness ought to come only as a matter of condescending grace, a mere social problem—no matter what his process or hope of rehabilitation—can be consigned to oblivion because Dr. Robinson's professional prestige can not stand for long the contact with a prisoner's prison stench.

The great Board that can examine 80 some odd prisoner's in 8 hours—1 every 6 minutes. That is what they term personal contact. Do you?

The great Board that can refuse applications for parole without assigning any reason therefor. Undoubtedly disturbs the morale of the prisoner.

The great Board that can promise paroles to many prisoners, only to reject their applications. This certainly does not help the situation in the least.

The great Board that has failed to issue hundreds of discharges in instances where maximum term is up, so as to make it appear that the case load is higher than it really is—is that honesty?

The Board that has hired a conscientious objector as one of its agents—the great Board that has engaged an agent who on account of a physical infirmity can barely talk to anyone—what service can you expect under these circumstances?

It is important to note that, of the 500 cases in which paroles were granted by the present Board, as affecting the Eastern Penitentiary, 86 were arrested for violations of parole, 13 for technical violations, and 73 for actual commission of crimes. In one instance, where a prisoner was paroled, he committed murder, and to-day is a fugitive of justice. Very little is said or made of this case by the proponents of the present system, but they do, however, make much of the famous Blackie Zupkowski case whose sentence was commuted by the Board of Pardons, and later a judge of our county courts released him under probation on the remaining bills of indictments so as to give him another opportunity to help himself. Believe it or not, Zupkowski was represented by Francis Fisher Kane before the Pardon Board and obtained a commutation of sentence. A Mr. Frazier prominently connected with the prison reform society, appeared as a witness for Zupkowski before the judge who finally released him. The Pardon Board and the judge were severely criticized, but not a word directed at Mr. Kane and the great social reformer, Mr. Frazier, whose word is law with the Prison Reform Society. I wonder why? Even the great Mr. Frazier erred. Yet these very same men appeared before the Judiciary General Committee favoring the present parole system and condemning the former loose system of paroles, as they termed it.

It is characteristic of those who have an axe to grind to resort to half truths. The public is told by the supporters of the Parole Act, that the old system inevitably and consistently spewed forth murderers and recidivists on the innocent public and that vice was inherent in the system. They pointed to notorious parole violators who followed their paroles with tragic acts of lawlessness. But they have failed to tell you of the great many parole applications under the old system that were rejected in the first instance and the further fact that out of those actually paroled, the great majority of them never went back to prison and thereafter lived useful lives. Does the new Board now hold itself out as infallible? Does it want you to believe that the men they parole will never become backsliders, that no mistakes of human judgment will be made in paroling men? If they do, then they are insulting your intelligence. I have already indicated above what has happened to cases over which they exercised control.

Much ado has been made of a few parole violators who have betrayed the trust which has been placed in them. And the exaggerated manner in which these few parole violators is being presented to us is not unlike the tactics employed by the advocates of prohibition only a few years ago when, because they were able to show the evil effects of liquor in a carefully chosen number of cases, they succeeded in establishing a law which resulted in one of the darkest chapters of crime and corruption in the history of our country.

The process of rehabilitation is in my mind the most important feature of parole. It is one of the most important functions of society. The process of rehabilitating a prisoner is just as exact and as important a science as grafting new flesh on a disfigured face. It is not a machine process, but the handiwork of a skillful and sympathetic hand. It requires a great and humane understanding of human wants and needs and the effect to be obtained. So far as the prisoner is concerned, in my humble judgment, it can best be done by the practical worker on the bench and those under his supervision provided you furnish them with enough funds to do the job well. He alone considers the human grist as it passes thru the mill; he alone analyses and dissects and understands. To him alone comes the human feeling stated by Shakespeare in the "Merchant of Venice" that "Earthly power doth then show likest God when mercy seasons justice."

Thus far the work done by the present Board has been disappointing, and I may say disgraceful. In Philadelphia M. M. Payne, the Parole Supervisor, is now establishing a Gestapo, akin to what is taking place abroad, excepting for the use of arms. His work and methods are certainly not conducive to rehabilitation. Parolees have been ignored, in many instances taken away from their employment for several hours at a time, causing them to lose valuable time. On the slightest provocation they are being threatened. They are being haunted and forced to leave jobs in order to take other jobs. The so-called helpful hand is merely a whipping hand. I can cite specific instances to bear out what I have said, but time is too short.

The parole officers in Philadelphia, in this advanced machine age, are in love with any new-fangled machine as long as it makes a clatter and turns out a monotonous stamped product in mass production. But he seems to forget that in some lines the custom built article is still more desirable than the machine product.

Considering all these circumstances, do you believe that the present Board has accomplished more than the judges and Board of Pardons accomplished under the former system? My answer is "No." If anything, much more good was done for the benefit of society and the prisoner under the former system.

Have we lost faith in our judicial system and Board of Pardons? Would you prefer to have this plan administered by appointees, subject to the appointing power, to the system formerly administered by the judges, judges who are elected by the people and by the Pardon Board, two of whom are elected by the people? My answer is let us return to the former system, but give the Pardon Board sufficient funds for machinery and personnel. Let the counties appropriate sufficient money to set up the machinery necessary to administer a proper parole system.

In conclusion, may I state there is no doubt in my mind that every Senator in this body is in favor of a strong parole law.

There are many here who agree with me. There are some who disagree and I have the highest regard for the sincerity of their convictions. This bill has provoked considerable comment and discussion in and out of the body, and I sincerely hope that as a result of it some plan will be evolved to improve the existing system. If it is the wish of the body to refer Senate Bill No. 18 back to the Committee for further study and to substitute another plan that will correct the present system, I shall not stand in the way.

However, I do feel that in a matter so highly controversial the minority party should be consulted.

Mr. COX. Mr. President, in another hour this Senate will have been in session for almost twelve hours.

I can not let this speech of the gentleman from Philadelphia, Senator Jaspan, go unanswered. I do not think it would be fair, however, to the gentlemen of the Senate to attempt to answer it at this time. I intend at a time when the Senate is not pressed with its business to answer this speech because, as I have indicated many times, the passage of the parole act was the ratification of a great ideal for which the people of Pennsylvania have fought for many years, and I can not in all conscience permit an attack as unjustified to be made on that ideal without an answer on my part.

And the question recurring,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I desire to be recorded as voting "no."

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 651, entitled:

An Act providing for the printing and distribution of Senate and House Bills and Senate and House Calendars

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There shall be printed only as many of each Senate and House bill and of each Senate and House calendar as is ordered in writing by the chief clerks of the Senate and House of Representatives and in addition thereto a number sufficient to supply all agencies of the State government that have requested such copies

Section 2 Prior to the convening of each session of the General Assembly the chief clerks of the Senate and House of Representatives shall transmit to the Department of Property and Supplies their written orders for bills and calendars and the Department of Property and Supplies shall ascertain from each department independent administrative board or commission the Legislative Reference Bureau and other independent agency of the State government the number of bills and calendars required by each of them but no department board commission or agency shall receive a greater number of bills or calendars than that heretofore provided for by law for such department board commission or agency without the approval of the Executive Board Departments boards commissions or agencies not heretofore provided for by law shall be entitled to one copy only of each bill and calendar without the approval of the Executive Board Each department board commission and agency shall also indicate in what manner the bills and calendars requested by them shall be delivered to the end that there shall not be duplications of deliveries or accumulations of undelivered bills and calendars

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 686, on third reading, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 696, entitled:

An Act to repeal the act approved the eighteenth day of June one thousand eight hundred ninety-seven (P. L. 168) entitled "An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standard to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the eighteenth day of June one thousand eight hundred ninety-seven (P. L. 168) entitled "An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standard to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same" is hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

POSTPONED CALENDAR

SENATE BILL No. 80 CALLED UP

Mr. HEYBURN. Mr. President, I call from the third reading calendar postponed Senate Bill No. 80, appearing on page 13 of today's Calendar.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 80, entitled:

An Act to repeal the act approved the twenty-first day of March, one thousand nine hundred twenty-nine, (P. L. 34), entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers typists and clerks to facilitate the business of the courts, and to provide for the payment of their compensation by the county, and validating former employments and payments therefore"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, I admit, as to this particular bill, I am not too familiar with exactly what it does. My judges and judges from various other first class counties have contacted me and said that they were opposed to this particular piece of legislation. I therefore contacted a group in the State whose judgment I respect in matters pertaining to acts concerning courts, and they tell me that the act has a proper place on the statute books and should not be repealed.

However, I personally want to say that it was my understanding, and I so wrote to the persons interested in the bill, that they would be notified before the bill was called up. I knew nothing of it being called up today and therefore, if they insist on voting on it the only thing I can do is vote "no."

Mr. JONES. Mr. President, by way of explanation in answer to the remarks of Senator Dent, I may say that this bill was placed on the postponed Calendar in order to give all third class counties an opportunity to contact their judges and to determine exactly their attitude. The judges have corresponded in these counties between themselves and have ironed out their differences of opinion, so that today, of the five counties involved, four of them are in favor of the bill. The counties in favor of the bill are the County of Luzerne, from whence I come, the County of Delaware, represented by Senator Heyburn, and the County of Montgomery, represented by Senator Edmonds. Each of the gentlemen in turn consulted their court and their court has approved of the bill I am informed by the gentleman from Lackawanna, Senator Coleman, that he was requested by his judge to support the bill I believe that this bill, which refers directly to counties of the third class, since it has received the affirmative votes of the judges of those counties, should be adopted by the Senate of Pennsylvania.

Mr. COLEMAN. Mr. President, when I see a bill on the Calendar which repeals an act of 1929, and which authorizes the Judges of the Courts of Common Pleas and Orphans' Courts in counties of the third class to employ stenographers, typists and clerks to facilitate the business of the courts and to provide for the payment of their compensation by the county and validating former employments and payments therefore, the question naturally arises in my mind as to what happens to the employes, since this repeals the act authorizing the employment of these men. An investigation discloses to me that there is a purpose in the bill with which I am not in accord.

Under the existing law, the Act of 1929, Judges of the Courts of Common Pleas and the Orphans' Courts in third class counties are permitted to hire employes, the salaries of whom shall not be in excess of $2,500 a year, and as I understand the purpose of this bill, it will repeal the Act of 1929 and permit the Judges of the Courts of Common Pleas and the Orphans' Courts to appoint clerks and employes, under the County Act of 1931, and which would, to use the language of the bill, permit them to hire employes, the total salary of whom shall not be in excess of the court stenographer's salary. Now, as I understand it, court stenographers in third class counties receive $4,500 a year, and I understand that the real purpose of this bill is to permit Judges in the third class county courts to hire a law clerk, for the purpose of checking up on the law and to aid the court in arriving at decisions on statutes and cases that are brought before the courts.

Accordingly, notwithstanding the fact that one of the Lackawanna County Judges spoke to me and said that he was contacted by a Luzerne County Judge who insisted on the passage of the bill, I am against the passage of the bill, because it has the effect of increasing the salary of an employe in the particular counties involved from $2,500 to $4,500 a year, and, accordingly, I ask my colleagues on this side of the House to vote against the passage of this bill.

(During the calling of the roll the following occurred.)

PARLIAMENTARY INQUIRY

Mr. THOMAS B. WILSON. Mr. President, I rise on a parliamentary inquiry.

The PRESIDENT. The gentleman from McKean will state his parliamentary inquiry.

Mr. THOMAS B. WILSON. I would like to inquire how the gentleman from Allegheny, Senator Barr, voted on this bill.

Mr. McGINNIS. Senator Barr is not at this time present in the Chamber; for the information of the Senator he is working on some amendments.

Mr. THOMAS B. WILSON. I just wanted to know.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—24

Becker,
Carr,
Crider,
Crowe,
Deitrick,
Edmonds,
Farrell,
Heyburn,
Homsher,
James,
Jones,
Kephart,
Letzler,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—14

Bowers,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Holland,
Jaspan,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Woodring,

Less than a constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

PERMISSION REQUESTED TO CHANGE VOTE

Mr. JONES. Mr. President, I desire to change my vote from "aye" to "no."

Mr. SHAPIRO. I object, Mr. President. The vote has already been counted and announced.

The PRESIDENT. The Chair sustains the position taken by the Senator from Philadelphia, Mr. Shapiro. The vote having been announced, it is too late for a Senator to change his vote.

PERSONAL PRIVILEGE

Mr. WOODWARD. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. WOODWARD. My point, Mr. President, is that I am here and the gentleman from Allegheny, Senator Barr, is not, and I therefore suggest, with all due respect, that one of these nine or ten sergeant-at-arms or perhaps all of them, fetch Senator Barr, so that he has to sit here. He got us into this scrape, and why can he not be present and scrape along with us?

Mr. WALKER. Mr. President, may I respectfully suggest that the gentleman from Allegheny, Senator Barr, while he may be temporarily absent from the Chamber, is on Senate business, procuring some information for the Senate, and I would ask the gentleman from Philadelphia to just be patient for a few moments and the gentleman from Allegheny, Senator Barr, will return.

Mr. WOODWARD. Mr. President, on my escutcheon I hate to recognize any "Barr sinister."

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 72, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" providing for the divestiture of judgments obtained thereunder by tax sales heretofore or hereafter made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 86, entitled:

An Act to amend paragraph (f) of section two thousand three and paragraph (e) of section two thousand five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" by extending the authority of the Department of Highways to rent and sell certain equipment and material.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for athird reading.

BILL OVER IN ORDER

Mr. CRIDER. Mr. President, I ask unanimous consent that Senate Bill No. 92, on second reading, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 127, on second reading, entitled:

An Act permitting certain organizations to conduct the playing of the game of bingo under certain circumstances; providing for the issuance, suspension and revocation of licenses therefor and for payment of a registration fee, and providing penalties.

be recommitted to the Committee on Law and Order.

Mr. SCARLETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. McCREESH. Mr. President, last week Senate Bill No. 127 was reported from the Committee on Law and Order, and the vote was about 100 per cent for the bill. I can not see the use of holding a meeting of the Committee on Law and Order, reporting a bill out and then sending it right back to committee again.

I was instructed to have amendments ready for this bill, and I have them here and I would like to submit the amendments.

Mr. HEYBURN. Mr. President, I would like to say for the benefit of the gentleman from Philadelphia, Senator McCreesh, that this bill is being sent back to committee because I understand, with all due respect to the Senator, that there is a better bill coming over from the house—so the Chairman of the Committee on Law and Order told the Caucus. This bill is going back to committee for further study.

Mr. McCREESH. Mr. President, if there is such a bill coming over from the House, send that to the Committee on Law and Order, because this bill of mine was presented about five or six months ago. I understand that this bill that is coming over from the House has perhaps the wording of my bill. In this bill that is coming over from the House, you give the handling of this matter to the courts of Philadelphia, and I maintain that this bill should be handled by the Revenue Department, as I think the Revenue Department is the proper place for this bill so I would like, Mr. President, that this bill be either voted on the floor and killed or else. I can not see the purpose of sending it back to the committee that reported it out with thirteen members voting for the bill—perhaps twelve, and one "no".

Mr. WOODWARD. Mr. President, I desire to interrogate the gentleman from Philadelphia, Senator McCreesh.

The PRESIDENT. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. McCREESH. I will, Mr. President.

Mr. WOODWARD. Mr. President, I would like some information from Senator McCreesh from Philadelphia about the game of bingo, which I never played myself, and at which game I know he is adept, and I would like to ask the simple question whether or not it is not a gambling game, and therefore, I am voting against it.

Mr. McCREESH. Mr. President, I did not hear the question.

Mr. WOODWARD. I simply want to ask the gentleman from Philadelphia if bingo is not a gambling game.

Mr. McCREESH. Mr. President, somebody called bingo a horse racing bill. Now, bingo, and horse racing are altogether different. It is not a gambling game. You are gambling with your life perhaps every day in the week. The only thing I am asking for, Mr. President, is that this bill be voted on on the floor and not sent back to the committee that reported it out one hundred per cent. I do not understand why we should waste time. This bill was reported from the Committee on Law and Order and I am one of the members of that committee, and I hate to sit all day voting, and then have the bill go right back to committee, and then within an hour and a half a House bill will come over here and be reported out in preference to a Senate bill.

We have men with great brains on the Committee of Law and Order, and I think this action is reducing the caliber of the Senators.

Mr. SHAPIRO. I would like to say for the information of the gentleman from Philadelphia, Mr. McCreesh, that he need not worry about the Law and Order Committee voting on this bill again. If the Committee on Law and Order wanted to pass this bill, they would not send it back to Committee at this time, and he can rest assured that this is the time that he should say what he wants to say, because he will never get another chance on this bill.

Mr. DENT. Mr. President, I believe it was Confucius who said; "Once bitten by a snake you fear every rope."

I had this very unhappy experience happen to a liberal bill that I presented. I was congratulating myself, on behalf of the thousands of soldiers in this vicinity and other vicinities which did not have Sunday movies, because I had a bill on the Calendar which would allow soldiers to go to Sunday movies, but all of a sudden it was sent back to committee for a public hearing, and I am afraid that same fate awaits the bill of my good friend, John McCreesh.

According to the House History, House Bill No. 86, which covers the same subject, was committed to the Committee on Law and Order on April 7, so that bill from the House is already in the Committee on Law and Order, and I subscribe to the thought expressed by the gentleman from Philadelphia, Senator Shapiro, that that is exactly where it will remain.

Mr. President, you know it may be funny to those of us who can afford to do things that a lot of poor old people can not afford to do. Every man in this Senate knows that bingo is a poor man's and a poor woman's game which is played mostly in our vicinity by aged persons who have not sufficient funds to go to moving pictures and other things. They sit around playing bingo for a nickel or a quarter or maybe fifty cents for a whole evening, they win prizes, which in most cases total something like sixty-five per cent of the entire take.

It is all right for those of us who are young and have a lot of things that still interest us, but is not proper to say to a lot of old folks that they can not play bingo. Personally, I could never understand how anybody can have the patience to sit all night for a nickel. I play for higher stakes and so do a great many of the other members of this Senate.

You know, Mr. President, it is just things like this that makes one believe that you have not read Jefferson at all. This is Jefferson's two hundredth birthday. The freedoms that he fought for are embodied on this type of legislation. If the old folks in this country of ours and in this State of ours want to play bingo, I for one say, let them play it, and besides, there is not a man in this Senate if he is honest but can tell me that he knows of bingo games being played in and around his vicinity and yet you do not do anything about it, just like you do not do anything about breaking the Blue Laws in and around your vicinity. Cigar stores stay open, newspapers are peddled by little kids in bare feet, all sorts of things are done on the Sabbath Day, but you will not legalize it, no, because that might put your vote of approval on something that you may try to tell me that you do not believe in.

If you do not believe in bingo, then clean it up. You are in charge of the State Police of the Senate of Pennsylvania. Stop it all over the state and see how long it will be before protests will come rolling into Harrisburg that will make you reconsider your action. Why take away from these old pensioners, as it were, who have but few days left on earth, the privilege to enjoy the one thing that they can do cheaply, play and enjoy an innocent game of bingo? Why, I think that it is disgraceful for men to sit here and deliberately kill this bill by sending it back to committee. Take an open vote on the question and let us vote like men, not mice.

Mr. LETZLER. Mr. President, when the Committee on Law and Order reported this bill out, the gentleman from Philadelphia, Mr. McCreesh, stated very definitely he would like to have it out on the floor so that it might be studied, and, while it was on the Calendar, he would get some amendments ready to introduce.

Since this bill has been on the Calendar, a bill came over from the House together with a note stating there were some features therein that were very acceptable, and the sponsor of the House bill felt that some of those features in the House bill could well be adopted probably to the Senate bill. It was therefore felt that the proper thing to do would be to recommit this bill to the Committee on Law and Order so we could make a comparison between the two bills, and if we found that one had some advantage over the other, proper amendments could be adopted in Committee.

Mr. McCREESH. Mr. President, I think I abided by the decision of the committee, and I have my amendments now prepared. I feel sorry that this Committee on Law and Order should do one thing and then come right on the floor in a few days and forget altogether what they did, their promises.

Why not let the bill go along and kill it when it comes up for a vote? I have 855,000 people back of this bill. I have 800 lodges and committees and Fraternal orders back of the bill. This bill is a money raising bill for the State of Pennsylvania; it is not a gambling bill, it is a bill where you are doing a lot of harm to the poor old people of Pennsylvania, and you are certainly creating a lot of trouble when you say you are going to vote on the bill.

Yesterday you said you would vote "yes" for this bill.

We have thirteen members of the Committee on Law and Order, and to be frank with you, I do not believe in attending those meetings of the Committee on Law and Order if we are going to lie today and tomorrow we will do something else.

I attended the Committee meeting and I feel that I know what I am doing, and if I say "No" on a bill I will come out here on the floor and vote "no." Here we have thirteen members saying "yes" and then come out a few days later and forget what they said in committee, forget all about their promises. You come in here in the morning and attend meetings and have no respect for what you have said. These men here, are all true, good, and honest men, but something must have happened. Let this bill get the same consideration that other bills get and I will be perfectly satisfied. I agree with the gentleman from Clearfield, Senator Letzler, that the bill got a fair chance in committee and that he did his very best, and I hold the highest respect for him, but something must have happened, and I will be satisfied if my bill is killed on the floor.

Mr. CARR. Mr. President, since the merits of this bill are under discussion at the present time, I do not feel I should keep silent.

A great deal has been said here about the necessity for old people playing bingo, in order to amuse themselves, when they can not spend money otherwise. I am asking one simple question here: if these old poeple were asked to congregate together and play bingo just for the fun of it, when there was no temptation in the form of a prize offered, would they be there? If those old people were asked to gather together and congregate for the purpose of playing bingo and nobody was getting any gain out of it, if every cent those people laid down on the table to play this game came back to the people playing it, nobody would dare to advance this bill as a proposition for enactment into law in the State of Pennsylvania. Up until the present moment the State of Pennsylvania has not legalized gambling in any form and whether you call it gambling, whether you call it innocent fun or what ever you call it, when people put more money into a game than they get out of it, that is gambling pure and simple, and the fact that some organizations have resorted to this means to keep themselves in funds is certainly a good criterion by which to judge such organizations which demand such a thing as this bill in the name of religion or in the name of a lot of other things around which they can wrap the flag.

I say to you, my fellow Senators, that this is a step in the wrong direction. If we begin to legalize gambling in any form, it is the first entrance and always when anything like that gets an entrance, very soon it wedges itself in and eventually other things must follow in its path. For that reason I shall oppose this bill throughout all the time that it is under consideration, both in the Law and Order Committee and on the floor of this Senate, if it ever comes up for a vote.

Mr. McCREESH. Mr. President, I would not say that the money that is derived from this bingo game would be illegally spent. This money will be well watched and well taken care of, used perhaps for paying the interest on a small mortgage or something else.

The gentleman from Butler, Senator Carr, I consider is doing his duty when he speaks his mind, and I know that the fact that these old people want to play bingo does not alter his opinion or mine either. These old people, perhaps, do not go to the tap rooms, they do not go to the dance halls at eighty-five or sixty-five, they do not go running around the streets all night, and perhaps, if you let them play a game of bingo, you will prevent them from going to the Philadelphia General Hospital or somewhere else, you get their minds off something else. You take an old lady or an old gentleman, and all day you keep them pottering around the house, eventually you will drive them crazy, and sooner or later they will have to go to the Philadelphia General Hospital or somewhere else.

Members of the Senate, I feel you are doing a very unjust thing when you are depriving some old gentleman or some old lady that does not want to go into a tap room, if you do not allow them to get togeteher some place every month or two, or every three or six months and play a game of bingo, and the money that is derived will prevent some place from going up for public auction or a sheriff's sale.

I say, let us vote on the bill, and if the gentleman from Butler, Senator Carr, want to vote "no," I will be perfectly satisfied. That is all I want.

And the question recurring,

Will the Senate agree to the motion?

Mr. McCREESH. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. McCREESH and were as follows, viz:

YEAS—21

Bowers,
Carr,
Crider,
Crowe,
Deitrick,
Ealy,
Edmonds,
Farrell,
Heyburn,
Homsher,
Jones,
Letzler,
Scarlett,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—17

Coleman,
Cox,
Dent,
DiSilvestro.
Gourley,
Haluska,
Holland,
James,
Jaspan,
Kephart,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Watkins,
Woodring,

So the question was determined in the affirmative.

(During the calling of the roll the following occurred)

Mr. McCREESH. Mr. President, as one of the members the Committee on Law and Order, I should, I suppose, vote "yes," on this motion, but I am going to vote "no." I want to make another statement before we are through, and that is, if this other bill comes on the floor for a vote, I expect it will get the same consideration from you as my bill got.

PARLIAMENTARY INQUIRY

Mr. WOODWARD. Mr. President, I rise on a question of Parliamentary inquiry.

The PRESIDENT. The gentleman from Philadelphia will state his parliamentary inquiry.

Mr. WOODWARD. I desire to inquire as to how the Senator from Allegheny, Senator Barr, voted on this bill.

The PRESIDENT. The record shows that the gentleman from Allegheny, Senator Barr, is not recorded as having voted.

Mr. WOODWARD. Well, Mr. President, why is he not here?

Mr. SHAPIRO. Mr. President, for the information of the gentleman from Philadelphia, Mr. Woodward, Senator Barr, from Allegheny county, is at present engaged with Senator Geltz and Senator Walker from Allegheny County on a matter of business concerning the Senate.

If the gentleman from Philadelphia has such an affection for the Senator from Allegheny, if he can not stand the absence of the Senator for a few moments, I will arrange personally to bring him back, so that his affection shall not be disturbed.

PARLIAMENTARY INQUIRY

Mr. WATKINS. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from Schuylkill will state his parliamentary inquiry.

Mr. WATKINS. I desire to know whether or not the Lawrence-Barr filibuster or slowing down is still in effect.

The PRESIDENT. Does any Senator wish to reply to the Senator from Schuylkill.

Mr. DENT. Mr. President, I did not know that there was such a member. May I answer the gentleman from Schuylkill.

The PRESIDENT. The gentleman from Westmoreland may proceed.

Mr. DENT. Mr. President, I do not know that there is a member of the Senate by the name of Lawrence.

Mr. WATKINS. Mr. President, I read in the daily press this morning an article to the effect that Dave Lawrence was directing the filibuster.

Mr. DENT. I might say to the gentleman from Schuylkill, you know we Democrats do not take any stock in what appears in the daily press.

Mr. WATKINS. I am not seriously concerned about what is in the daily press. I am wondering if Dave Lawrence who dictates the policy of the Democratic party is directing the filibuster.

PERMISSION TO ADDRESS SENATE

Mr. HOLLAND. Mr. President, I ask permission to make a short statement.

The PRESIDENT. Is the statement that the gentleman from Allegheny desires to make in connection with the Calendar.

Mr. HOLLAND. No, Mr. President, it is in answer to the charge that Mr. Lawrence is dictating the policies of the Senate, which charge was made by the gentleman from Schuylkill.

The PRESIDENT. That question has been asked, and the gentleman from Allegheny has a right to answer it.

Mr. HOLLAND. Mr. President, I have listened to the gentleman from Schuylkill asking this Senate whether Mr. Lawrence dictates to the members of the Democratic party.

First of all, Mr. President, Mr. Lawrence, quite in contrast with the leaders of the Republic party, Mr. Grundy and Mr. Pew, does not dictate, he sits in Caucus, and we as Democrats decide the policy that we will pursue in the Senate. Mr. President, I know the gentleman from Schuylkill can not honestly state that his party can do likewise, unless they at least pay off the moneys they owe Mr. Grundy and Mr. Pew, because, after all, the Republican party is in hock and when they are in hock they can not do the proper thing for the people of Pennsylvania, and I might add, for the information of the gentleman from Schuylkill, that we are still wondering where the Chairman of the Republican party got the $50,000 that he loaned to the Republican party.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 176, on second reading, entitled:

An Act to amend the act approved the twenty-eighth day of July, one thousand nine hundred and forty-one (P. L. 541), entitled "An act authorizing county commissioners to sell seated and unseated lands purchased at tax sales upon which the period of redemption has expired, and validating certain sales heretofore made," extending the time within which sales may be made.

go over in its order,

The PRESIDENT. Is there objection? The Chairs hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 187, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 208, entitled:

An Act allowing costs and counsel fees to stakeholders in interpleader proceeding out of funds paid into court.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 217, on second reading, entitled:

An Act creating a joint legislative committee for the purpose of studying investigating and reporting findings and recommendations to the next regular session of the General Assembly on the problems of crime prevention, sentencing, incarceration, commutation of sentence, probation, parole, pardoning and penal systems authorizing the employment of necessary assistants and making an appropriation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 263, entitled:

An Act to amend section fifteen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" requiring written notice to be given in certain cases to each taxable person whose assessment shall be changed at any triennial assessment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 272, on second reading, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

go over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 311, on second reading, entitled:

An Act authorizing the county commissioners in each county of the second class to appoint a fire marshal and two assistant fire marshals providing for the term of office and compensation of the persons so appointed and prescribing their powers and duties imposing certain additional duties upon county commissioners policemen constables watchmen and other persons authorizing the fire marshal or his assistants to enter upon properties to investigate various fire hazards and to order the removal or abatement of such hazards conferring certain police powers upon the fire marshal and his assistants repealing certain general special and local legislation and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 354, on second reading, entitled:

An Act to further amend clause (d) of section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 452), entitled, as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to sell and convey projects and property to the Commonwealth, the United States, or any Federal agency.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 355, entitled:

An Act to amend section five hundred thirty of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the filing of the treasurer's bond.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 356, on second reading, entitled:

An Act to amend clause one of section seven hundred two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the period for which contracts for lighting may be made.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 365, entitled:

An Act to further amend clauses (d) and (e) of section four hundred four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further changing provisions relating to the investment of the capital and reserve of mutual and stock life insurance companies organized under the laws of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 405, entitled:

An Act to amend section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" relating to the operation of and the presence of minors in pool and billiard rooms and bowling alleys.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 2, Section 1, line 13, by striking out the word "therein" and inserting in lieu thereof the words: "in any public pool-room or billiard room."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 421, entitled:

An Act to add section ten to the act approved the first day of July, one thousand nine hundred thirty-seven, (P. L. 2624), entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location, construction, and use of buildings, the size of courts and open spaces, the density of population, and the use of land," authorizing townships to make appropriations for said purposes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 485, entitled:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determinatoin of liability and compensation thereunder; and prescribing penalties," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 272 CALLED UP

Mr. HEYBURN. Mr. President, I desire to return to page 15 of the calendar and call up Senate Bill No. 272, Printer's No. 226, which was passed over temporarily.

Mr. WALKER. Mr. President, I am about to offer amendments to Senate Bill No. 272, but before doing so I should like to state for the information of the Senate that these amendments are merely to correct a typographical error. As the bill is now worded, a borough in Allegheny County is spelled as "McGees" and this amendment merely corrects that typographical error by inserting "McKees" and also to correct a second typographical error on Page 2 beginning at line 9 to insert the thirty-third district, which was omitted by the printer.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 272, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WALKER offered the following amendments:

Amend Senate Bill No. 272, page 5, line 16, by taking out the word "McGees" at the end of the line and inserting in lieu thereof the following: "McKees."

Amend bill, page 2, line 12, by inserting between the word "twenty-third" and the part word "thirty-", the following: "thirty-third."

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

On the question,

Will the Senate agree to the bill as amended, on second reading?

Mr. BARR. Mr. President, I am going to ask the sponsor of this bill if he would mind holding this bill on second reading. Of course, I do not think that probably any request of mine will get very far. However, I would like to say, Mr. President, that while I was absent from the floor of the Senate, I was talking with two Republican Senators from Allegheny County and other Republican officials and we think we may get some place in this reapportionment bill as far as it affects the county of Allegheny.

I am merely asking that Senate Bill No. 272 be held on second reading until we have time to adopt these amendments or talk further this evening about them.

Mr. HEYBURN. I am sorry, Mr. President, I have to object to Senate Bill 272 going over in order. We are so tied up with the Calendar here that we must proceed to read and dispose of all bills we possibly can.

Mr. BARR. I may add, Mr. President, that it is just those tactics which is the reason we are in the muddle we find ourselves in here in the Senate.

And the question recurring,

Will the Senate agree to the bill as amended, on second reading?

It was agreed to.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 486, entitled:

An Act to amend section six of the act, approved the fifth day of May, one thousand nine hundred eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties; regulating the procedure therein and providing for the expenses thereof," by conferring upon said county court jurisdiction in appeals from the Workmen's Compensation Board.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 487, entitled:

An Act to amend section three of the act, approved the tenth day of June, one thousand nine hundred thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," by relaxing, during the continuance of the present war, the educational requirements for applicants to take examinations for undertakers' licenses, if such applicants have completed ten or more years service as assistants to duly licensed undertakers.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 502, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I am directed by the Republican Caucus to move that Senate Bill No. 503, on second reading, entitled:

An Act providing referendums to ascertain the will of electors on the question of baseball and football on Sundays, and for the enactment of licensing ordinances and resolutions in accordance therewith.

be recommitted to the Committee on Law and Order.

Mr. DEITRICK. Mr. President, I second the motion.
The motion was agreed to.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of House Bill No. 503, entitled:

An Act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau; prescribing the powers and duties of such bureau; requiring the registration with such bureau by landowners of certain information relative to the location, ownership and transfer of title of real property located in such county; imposing certain additional duties upon the county surveyor, the sheriff and the recorder of deeds in such county; and providing penalties.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 506, on second reading, entitled:

An Act to further amend section one thousand thirty-three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," extending the provisions of such section for a further period of two years.

go over in its order temporarily.
The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 515, entitled:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood, in said county, during the month of May, one thousand nine hundred forty-two.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

SENATE BILL No. 506 CALLED UP

Mr. HEYBURN. Mr. President, I call up at this time Senate Bill No. 506, Printer's No. 233.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 506, entitled:

An Act to further amend section one thousand thirty-three of the act approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," extending the provisions of such section for a further period of two years.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 518, entitled:

An Act to amend section one hundred and one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and pharses when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" defining certain additional words and phrases when used in statutes.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend bill, page 2, Section 1, line 13, by inserting between the words "by" and "adding" the words: "amending paragraph (41) thereof and by;" Amend bill, page 2, Section 1, at lines 14 and 15 by inserting between lines 14 and 15 after the word "follows" and before "(112)" the following:

Section 101. Definitions. The following words and phrases, when used in any law hereafter enacted, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section: ...... (41) "Farm product," or "agricultural product", any agricultural, horticultural, vegetable, fruit, and floricultural product of the soil, livestock and meats, wool, hides, poultry, eggs, dairy products, nuts, mushrooms and honey.

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed or a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 521, entitled:

An Act relating to reservation of powers of the Commonwealth with respect to lands purchased or condemned by the United States.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend bill, Section 1, page 1, line 9 by inserting between the words "that" and "all" the following: "the jurisdiction of the United States over such land shall be concurrent with the jurisdiction of this Commonwealth and;"

Amend bill, Section 1, page 2, lines 7 and 8 by striking out the words "and may levy and collect all taxes now or hereater imposed" and inserting in lieu thereof the following: "and reserves to itself and to its municipalities and political subdivisions the right to levy and collect all taxes now or hereafter imposed on property, persons and corporations including their franchises, within the territory so ceded"; Amend bill, Section 1, page 2, line 9 by inserting after the word "granted" the following: "Provided, however, that the concurrent jurisdiction so ceded to the United States shall continue no longer than the United States shall be the owner of such lands, and if the purposes of any grant to the United States shall cease, or the United States shall for five years fail to use any such lands for the purposes of the grant the concurrent jurisdiction so ceded to the United States over such lands shall cease and determine and the right and title thereto shall reinvest in this Commonwealth."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. KEPHART offered the following amendment:

Amend bill, page 1, line 1 of title by inserting after the word "Commonwealth" the following: : "municipalities and political subdivisions thereof."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 561, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by increasing the amount for which under certain conditions such companies may issue policies in the event of death from natural or accidental causes.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 588, on second reading, entitled:

An Act to amend paragraph four of section (c) of section two hundred two and to further amend section six hundred twenty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682 entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the purposes for which certain companies may be incorporated to include insuring medical hospital surgical and funeral expenses in connection with certain kinds of liability insurance and insuring against loss or damage to property from certain causes for which the person insured is liable.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 629, on second reading, entitled:

An Act to amend section four hundred thirty-seven of the act approved the second day of May one thousand nine hunded twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the making of appropriations to more than one historical society.

be recommitted to the Committee on County Government.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 649, on second reading, entitled:

An Act to amend section one thousand five hundred seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law thereto" by providing a method for financing the cost of constructing sewers or drains.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. FARRELL. Mr. President, I move that House Bill No. 652, on second reading, entitled:

An Act to amend section six hundred eleven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing for the election of at least two delegates to attend State conventions.

be recommitted to the Committee on County Government.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 390, on first reading, entitled:

An Act to further amend section three and section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (Pamphlet Laws 522) entitled as amended, "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State, county, city, borough, town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by providing for the issuing of free licenses for seeing-eye dogs and by increasing the amount of certain payments to be made to the Commonwealth for damage caused by dogs or rabies.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 539, entitled:

An Act to further amend section eight hundred one of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighting, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies: repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by requiring further hearings on proposed orders and eliminating the requirement of the Governor's approval for certain orders of the commission and any amendments or revisions thereof fixing or changing the price of milk.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 13, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

William M. Young, Avalon, April 16, 1943.

LEHIGH COUNTY

Mrs. Irene M. Gillespie, Catasauqua, April 22, 1943.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Anthony Maroulis, 4716 Centre Ave., Pittsburgh.
Miss Elizabeth E. Young, 709 Clark Bldg., Pittsburgh.

BLAIR COUNTY

G. Nevin Dively, Altoona.

ERIE COUNTY

Miss May T. Rossiter, Erie.

NORTHAMPTON COUNTY

Robert G. Arnold, Easton.

YORK COUNTY

Miss Ethel M. Mosteller, York.
Miss Helen F. Owings, York.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr.
Coleman,
Cox.
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy.
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland.
Homsher,
James,
Jaspan,
Jones.
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Mundy,
Ruth.
Scarlett,
Shapiro,
Snowden,
Stevenson,
Tallman,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring.
Woodward,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORTS FROM COMMITTEES

Mr. WATKINS. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS, from the Committee on Public Utilities, reported as amended Senate Bill No. 473, entitled:

An Act to further amend sections four five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by limiting the power of an Authority to acquire the title to projects subject to the jurisdiction of the Pennsylvania Public Utility Commission authorizing an appeal to the court of common pleas from such action on the part of the Authority; and providing that Authority bonds shall be sold only at public sale after public notice by advertisement.

He also, from the Committee on Executive Nominations, reported with a favorable recommendation the following nomination, made by His Excellency, the Governor of the Commonwealth which was read by the Clerk and laid on the table.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Stratford, Forest City, Susquehanna County, for appointment as a member of the Board of Trustees of Farview State Hospital, for the term of four years, and until his successor is qualified, to fill a vacancy.

EDWARD MARTIN.

Mr. THOMAS B. WILSON. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMAS B. WILSON, from the Committee on State Government, reported as amended House Bill No. 170, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governer, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes in certain departments, boards and commissions shall be determined," by changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police.

He also, from the Committee on State Government reported as committed House Bill No. 818, entitled:

An Act to amend sections one, two and four of the act, approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 494), entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing the powers and duties, and authorizing the use by the committee of the employes, equipment, supplies and facilities of certain State agencies," by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

He also, from the Committee on State Government reported as committed House Bill No. 826, entitled:

An Act to further amend sections eight hundred and twenty-three (i) and (j) and one thousand two hundred and eleven of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended by changing the name Pennsylvania Motor Police to Pennsylvania State Police

He also, from the Committee on State Government, reported as committed, House Bill No. 831, entitled:

An Act to amend the title and certain sections of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 660), entitled "An act providing for the return of escaped prisoners and convicts after apprehension, to the penitentiary or state institution from which they escape, by the agents of the Department of Justice or the Pennsylvania Motor Police, and requiring the penitentiary or state institution to defray the expenses thereof," by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

He also, from the Committee on State Government, reported as committed, House Bill No. 817, entitled:

An Act to amend the title and the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2420), entitled "An act fixing the hours of rest each calendar week, and the vacation period of members of the Pennsylvania Motor Police, Motor Police and Patrolmen and Guards in State Parks," by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police.

He also, from the Committee on State Government, reported as committed, House Bill No. 820, entitled:

An Act to amend the title and certain sections of the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), entitled "An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," by changing the name of the Pennsylvania Motor Police Retirement Systen to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police, and conforming said act to existing law.

He also, from the Committee on State Government, reported as committed, House Bill No. 819, entitled:

An Act to further amend the title and the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1314), entitled as amended, "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth; prescribing the qualifications for admission of such persons to such school; providing for the payment of certain costs by such students; conferring certain powers upon the Pennsylvania Motor Police; and making an appropriation," by imposing upon the Pennsylvania State Police the duties formerly imposed upon the Pennsylvania Motor Police.

He also, from the Committee on State Government, reported as committed, House Bill No. 824, entitled:

An Act to further amend certain sections of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," as reenacted and amended, by making the moneys in the Motor License Fund available to the Pennsylvania State Police to defray the expenses required by such agency in the proper conduct of part of its work.

He also, from the Committee on State Government, reported as committed, House Bill No. 889, entitled:

An Act to amend section eight of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by changing the name State Highway Patrolmen to Pennsylvania State Police.

He also, from the Committee on State Government, reported as committed, House Bill No. 829, entitled:

An Act to amend the title and sections four, five, six and eight of the act, approved the third day of July, one thousand nine hundred forty-one (P. L. 249), entitled "A supplement to the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), as amended, entitled, 'An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties: exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes: and providing penalties,'" by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System and the name Pennsylvania Motor Police to Pennsylvania State Police.

He also, from the Committee on State Government, reported as committed, House Bill No. 833, entitled:

An Act to further amend the title and the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 414), entitled, as amended, "An act providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals; conferring powers and imposing duties upon the Pennsylvania Motor Police, district attorneys, police officers, wardens or keepers of jails, prisons, workhouses, or other penal institutions, and sheriffs; providing for the payment of certain expenses by the counties; and imposing penalties," by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act.

He also, from the Committee on State Government, reported as committed, House Bill No. 914, entitled:

An Act to further amend the title and certain sections of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania Motor Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania Motor Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania Motor Police and the enforcement of its orders and prescribing penalties" by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act.

Mr. WADE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE, from the Committee on State Government, reported as amended, House Bill No. 549, entitled:

An Act to further amend sections three hundred one and three hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection, and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by authorizing the Board of Finance and Revenue, with the approval of the Governor to invest State deposits in short-term obligations of the United States government and to dispose of the same.

Mr. McQUIDDY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McQUIDDY, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 535, entitled:

An Act to further amend section one, article eight, of the act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," providing that only persons who are registered holders of certificates of qualification or service shall be employed as mine foremen and assistant mine foremen.

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 498, entitled:

An Act creating a commission to make a study and investigation of strip mining; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

Mr. GOURLEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GOURLEY, from the Committee on State Government, reported as committed, Senate Bill No. 500, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia, Pennsylvania, known as the Frankford Arsenal, and ceding jurisdiction to the United States.

He also, from the Committee on State Government, reported as committed, Senate Bill 540, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Montgomery County, Pennsylvania, known as the United States Naval Air Station, Hatboro Willow Grove, Pennsylvania, and ceding jurisdiction to the United States.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 545, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land, in Cumberland County, Pennsylvania, for a supply depot, known as the United States Naval Supply Depot, Mechanicsburg, Pennsylvania, and ceding jurisdiction to the United States.

Mr. CRIDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CRIDER, from the Committee on Appropriations, reported as committed. House Bill No. 522. entitled:

An Act relating to post-war planning, creating a Post-War Planning Commission and defining its powers and duties conferring powers and duties upon State administrative departments boards and commissions political subdivisions and other agencies and making an appropriation.

He also, from the Committee on Federal Relations, reported as committed, Senate Bill No. 419, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-one thousand acres of land in the County of Franklin, Commonwealth of Pennsylvania, known as the Letterkenny Ordnance Depot, and ceding jurisdiction to the United States.

He also, from the Committee on Federal Relations, reported as committed, Senate Bill No. 420, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Lancaster County, Pennsylvania, known as the Marietta Holding and Reconsignment Point, and ceding jurisdiction to the United States.

Mr. GELTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ, from the Committee on State Government, reported as committed, Senate Bill No. 465, entitled:

An Act authorizing the Department of Welfare to enter into contracts for foodstuffs to supply State and State-aided institutions, and to purchase the same in open market, and to process the same for preservation; providing for transfers from appropriations made to such institutions in payment therefor; authorizing dehydrating plants and equipment at State institutions, and the use of inmate labor thereat; conferring power and imposing duties on the Department of Property and Supplies; and making an appropriation.

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO, from the Committee on State Government, reported as committed, Senate Bill No. 497, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Navigation Commission of the Delaware River, to secure accommodations ashore for use by said commission in the conduct of the nautical school now located at the Port of Philadelphia; and making an appropriation.

He also, from the Committee on State Government, reported as amended, House Bill No. 363, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown. County of Montgomery, Pennsylvania.

BILLS INTRODUCED AND REFERRED

Mr. WALKER. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER read in place and presented to the Chair Senate Bill No. 556, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen, and to make uniform the law with reference thereto.

Which was committed to the Committee on Judiciary General.

He also read in his place and presented to the Chair Senate Bill No. 557, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by excluding from the provisions thereof personal property held in trust under the terms of a stock bonus, pension, annuity, or profit-sharing or deferred compensation plan, as herein defined, maintained by an employer for the exclusive benefit of his employes or their beneficiaries.

Which was committed to the Committee on Judiciary General.

Mr. BECKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BECKER read in place and presented to the Chair Senate Bill No. 558, entitled:

An Act to amend paragraph (1), subsection (a), section three of the act approved the twenty-fifth day of June, one thousand nine hundred thirty-seven (P. L. 2063), entitled, "An act providing for the payment into the State Treasury, without escheat, of certain moneys and property subject to escheat under existing law, namely unclaimed dividends and profits, certain debts, and interest on certain debts, proceeds of policies of insurance, stock and customers deposits held by certain limited partnerships and unincorporated associations, joint-stock associations, companies and corporations doing business under the laws of this Commonwealth; declaring the legislative intent with respect to such payments; requiring reports of such money and property by, and imposing other duties upon, such partnerships, associations, and corporations; conferring powers and imposing duties on certain State officers, boards, and departments; providing for jurisdiction of courts, and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue; providing for refunds of such moneys and property; and prescribing penalties," by providing for the report and escheat of certain declared dividends and profits.

Which was committed to the Committee on Judiciary General.

Mr. WADE. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WADE read in place and presented to the Chair Senate Bill No. 559, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Mifflin.

Which was committed to the Committee on Highways.

Mr. WOODWARD. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODWARD read in place and presented to the Chair Senate Bill No. 560, entitled:

An Act to further amend the first paragraph of clause (i) of section four and section three hundred one of the act approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 2897-1937) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for co-operation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," conforming said act to the Federal excise tax on wages of employes by exempting employers who do not employ in employment subject to said act eight or more employes in a celendar year.

Which was committed to the Committee on Workmen's Compensation.

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ read in place and presented to the Chair Senate Bill No. 561, entitled:

An Act providing that certain students of colleges and universities entering the military service of the United States shall be granted baccalaureate degrees.

Which was committed to the Committee on Education.

Mr. CARR. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CARR read in place and presented to the Chair Senate Bill No. 562, entitled:

An Act to add Section 943.1 to the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting the selling of less than twelve live chicks or ducklings.

Which was committed to the Committee on Agriculture.

Mr. MUNDY. Mr. President, I ask unanimous consent to introduce bills at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MUNDY read in place and presented to the Chair Senate Bill No. 563, entitled:

An Act making an appropriation to the Pittston Hospital, Pittston, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also read in his place and presented to the Chair Senate Bill No. 564, entitled:

An Act making an appropriation to the Wilkes-Barre General Hospital, Wilkes-Barre, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. HOMSHER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER read in place and presented to the Chair Senate Bill No. 565, entitled:

An Act to amend section one of the act approved the sixteenth day of May, one thousand nine hundred thirty-nine (P. L. 139), entitled "An act authorizing counties, cities, boroughs, townships of the first and second class, and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof, and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds; and fixing a penalty for the violation thereof," extending the provisions thereof to meet increased operating expenses during the war emergency.

Which was committed to the Committee on Judiciary Special.

PERMISSION TO ADDRESS SENATE

Mr. McCREESH asked and obtained unanimous consent to address the Senate.

Mr. McCREESH. Mr. President, I just want to remind the Senate that the reading clerk has now worked faithfully for twelve and a half hours, and in fact all day, Senators and the clerks have worked faithfully, and I just want to say to the Republican Floor Leader that he should advise his Senators to if possible cut down the number of bills so that the reading clerk will not have so much to do. This large bunch of bills should not be presented when the session is about to be over.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, may I request if the Senator from Allegheny, Mr. Barr, has any objection to reading for the first time bills reported from Committee at today's session.

Mr. BARR. I do, Mr. President, and I will state my reason.

This afternoon before leaving the floor of the Senate, I told the Majority floor leader where I was going, together with two colleagues from Allegheny, and we went downstairs and tried to work out some solution of this reapportionment bill. We thought we were getting along very well and when I returned to the floor, I understand that one of my colleagues was criticised by his own colleagues for even sitting down with me and he told me that all negotiations on the reapportionment bill were over, so my negotiations will have to continue.

LEAVE OF ABSENCE

Mr. DiSILVESTRO asked and obtained leave of absence for himself for Thursday, April 15, 1943.

Mr. RUTH asked and obtained leave of absence for himself from nine o'clock until three o'clock tomorrow, April 14, 1943.

Mr. SHAPIRO. Last week, Mr. President, I asked leave of absence for myself because of a case which was specially fixed for trial for yesterday and today. When I was informed on Saturday that the case would not be reached until tomorrow I came here, not knowing we were going to meet at six o'clock this morning. However, I am here, but I am informed that my case will be reached tomorrow and I am asking leave of absence for myself for tomorrow. If my case is not reached I will be back here on the earliest possible train.

The PRESIDENT. Is there objection? The Chair hears none. Leave is granted.

POINT OF INFORMATION

Mr. HEYBURN. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Delaware will proceed.

Mr. HEYBURN. I am wondering, Mr. President, if the Senator from Allegheny, Mr. Barr, would like a leave of absence.

Mr. GELTZ. I second the motion.

The PRESIDENT. The Chair is sure the gentleman would, but does not dare ask for it.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, April 14, 1943, at 7:00 o'clock a. m., Eastern War time.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 6:35 o'clock p. m., Eastern War Time, until Wednesday, April 14, 1943, at 7:00 o'clock a. m., Eastern War Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 13, 1943

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

King of our lives we gratefully acknowledge Thee as Son of Man and Son of God. In Thy walks and works among mankind, the centuries have acclaimed Thee as the greatest and best of heaven's gift. Today, we pause to give thanks for the indwelling of Thy Spirit in the life and labors of Thomas Jefferson who contributed so largely to the foundation structure of our republic. As he gave himself devotedly for the establishment and exercise of personal, political and religious freedom so may we be worthy successors as we keep alive these inalienable rights.

This we ask in the name of Him who came that all might have life and have it more abundantly. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, April 12, 1943.

The Clerk proceeded to read the Journal of April 12, 1943, when, on motion of Mr. McSURDY, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Mr. WINNER. HOUSE BILL No. 1097.

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy nine," by establishing a manufacturing exemption with regard to the capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies.

Referred to the Committee on Ways and Means.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 77.

An Act making an appropriation to the Water and Power Resources Board for the reconstrution of the dam near the village of Seelyville in Wayne County which was recently dynamited to eliminate a flood hazard and authorizing said board to undertake and complete the reconstruction of the aforesaid dam.

Referred to the Committee on Appropriations.

SENATE BILL No. 166.

An Act to amend the title and section three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," by extending certain responsibilities of said act to the support of all indigent persons, whether or not they are publicly cared for or assisted.

Referred to the Committee on Welfare.

SENATE BILL No. 172.

An Act authorizing the Department of Property and Supplies. with the approval of the Governor and the Board of Trustees of the Pennsylvania Soldiers' Orphan School to acquire a certain tract of land for the use of said school; and making an appropriation therefor.

Referred to the Committee on Appropriations.

SENATE BILL No. 178.

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" fixing the terms of the members of said commission providing for the filling of vacancies and making an appropriation

Referred to the Committee on Appropriations.

SENATE BILL No. 211.

An Act to further amend section nine hundred eight, subsection A of section one thousand six and subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations wtih or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts." further regulating the amount and maintenance by further providing for the powers and duties and limitations upon powers of corporatons and persons authorized to engage in a banking or fiduciary business or both.

Referred to the Committee on Banking.

SENATE BILL No. 243.

An Act to further amend section eleven of the act approved the seventeenth day of February one thousand nine hundred six (P. L. 45) entitled "An act to regulate the deposits of State funds to prescribe the method of selecting State depositories to limit the amount of State deposits to provide for the security of such deposits to fix the rate of interest thereon to provide for the publication of monthly statements of moneys in the general and sinking funds to declare it a misdemeanor to give or take anything of value for obtaining the same and prescribing penalties for violations of this act" by further regulating the rendition and advertisement of statements of moneys to the credit of the various funds in the State Treasury.

Referred to the Committee on State Government.

SENATE BILL No. 244.

An Act reducing for a limited period of time the training period of interneship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Exaxmining Board to practice major surgery and suspending inconsistent laws.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 246.

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years, and validating the lien of such taxes.

Referred to the Committee on Counties.

SENATE BILL No. 258.

An Act to amend section two of the act, approved the twenty-ninth day of April. one thousand nine hundred twenty-five (P. L. 358), entitled "An act for the identification of infants born in places where maternity cases are handled; providing for the taking of finger or foot prints of infants, and the filing of the same, and charging persons in charge of such places with the enforcement thereof," by providing for the taking of such prints of the mother of each such infants

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 268.

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363), entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic weak-minded person presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person

Referred to the Committee on Judiciary General.

The Clerk of the Senate, Mr. McGroerty being introduced, presented the following extracts from the Journal of the Senate:

For concurrence Senate Bills Nos. 261, 266, 309, 310, 314, 348, 350, 397, 444, 449, 453, 463, 474 and 478.

COMMITTEE TO ESCORT GOVERNOR

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 13, 1943.

Resolved, (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, and distinguished guests to the Hall of the House to address the Members of the General Assembly in Joint Session, on Wednesday, April 14, 1943, at 12 o'clock noon, in commemoration of the birth of Thomas Jefferson.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 131.

An Act to amend section five of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act" eliminating the exception of armory buildings owned by the Commonwealth and under the supervision of the Armory Board from the provisions of said act

With the information that the Senate has passed the same without amendment.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. In accordance with the provisions of a resolution adopted by the Senate and concurred in by the House there will be a joint session of the General Assembly tomorrow (Wednesday, April 14th, at 12 o'clock noon).

This will require the House to convene at 11:30 a. m. on Wednesday. The Chair makes this announcement so that the chairman of committes can govern themselves accordingly in fixing the time for their meetings.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows.

HOUSE BILL No. 131.

An Act to amend section five of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled "An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act" eliminating the exception of armory buildings owned by the Commonwealth and under the supervision of the Armory Board from the provisions of said act

HOUSE BILL No. 228.

An Act to further amend section four hundred ten of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by postponing the time for the taking effect of orders of the Pennsylvania Liquor Control Board; suspending or revoking licenses for a period of twenty days during which time the licensee may take an appeal.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Hare for Mr. KENNETH H. WAGNER because of illness.

Mr. B. Frank Hunter for Mr. GOODWIN who is attending the Jefferson Memorial Services in Washington today.

Mr. SAMUEL ROSE for himself for tomorrow.

REPORTS FROM COMMITTEES

Mr. DENNISON, from the Committee on Motor Vehicles, reported as committed, House Bill No. 377, entitled:

An Act to further amend section eight hundred and twenty-three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," changing the penalty for violation of provisions relating to official inspections.

Mr. HARE, from the Committee on Education, reported as committed, House Bill No. 505, entitled:

An Act to further amend section one thousand seven hundred eleven-A of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring the Commonwealth to reimburse school districts operating joint high schools for cost of tuition thereat.

Mr. CAMPBELL, from the Committee on Corporations and Industry, reported as committed, House Bill No. 668, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations, conferring certain rights, powers, duties, and immunities upon them and their officers and members, prescribing the conditions of which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing nonprofit medical service corporations to provide limited medical service to subscribers of over-income.

Mr. HOOPES, from the Committee on Corporations and Industry, reported as committed, House Bill No. 669, entitled:

An Act to amend sections three, four, nine, and nineteen of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commission, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation except a nonprofit medical service corporation, from providing medical service on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income.

Mr. MOSER, from the Committee on Judiciary General, reported as committed, House Bill No. 717, entitled:

An Act providing that when any city, county, school district or other political subdivision of this Commonwealth, shall in the exercise of the power of eminent domain, acquire real estate by appropriation and condemnation, the title thereto which shall vest in such city, county, school district or other political subdivision, shall be a title in fee simple, unless otherwise provided in the ordinance or resolution authorizing the appropriation and condemnation thereof.

Mr. McMILLEN from the Committee on Education reported as committed, House Bill No. 725, entitled:

An Act to amend paragraph seven A of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public schol system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by regulating salaries of continuation teachers in first class districts.

Mr. HARE from the Committee on Motor Vehicles reported as committed, House Bill No. 799, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," by further regulating the suspension of operating privileges by the secretary.

Mr. SIMONS from the Committee on Motor Vehicles reported as committed, House Bill No. 875, entitled:

An Act to further amend section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the revocation of operating privileges by the Secretary of Revenue.

Mr. DENNISON from the Committee on Motor Vehicles reported as committed, Senate Bill No. 48, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending certain provisions of Section one thousand and twelve thereof for the duration of the war and six (6) months thereafter.

Mr. ROYER from the Committe on Motor Vehicles reported as committed, Senate Bill No. 49, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending the provisions of Section nine hundred and two (f) thereof for the duration of the war and six (6) months thereafter.

Mr. LOVETT from the Committee on Judiciary Special reported as committed, Senate Bill No. 240, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting alumni or alumnae associations from the provisions of the act in certain cases.

Mr. EWING from the Committee on Motor Vehicles reported as committed, Senate Bill No. 347, entitled:

An Act to add section six hundred seventeen and one-tenth to the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for special operators' licenses after suspension for persons required to operate motor vehicles in course of employment.

Mr. SKALE from the Committee on Judiciary General reported as amended, House Bill No. 1044, entitled:

An Act to amend the act, approved the sixteenth day of July, one thousand nine hundred and forty-one (P. L. 400), entitled "An act to protect the debtors, obligors or guarantors of debts for which judgment are entered or may be entered, and owners of real property affected thereby, and others indirectly liable for the payment thereof, by prescribing the method of fixing the fair market value of such property sold on execution, and limiting the amount collectible thereafter on such judgments," by clarifying certain provisions of said act; extending various provisions thereof so as to apply to certain proceedings involving real property located outside Pennsylvania; prescribing a procedure for securing record satisfaction of certain judgments by court order where the plaintiff in execution proceedings failed to file, within the time prescribed by said act, a petition to fix the fair market value of real property sold to the plaintiff under such execution proceedings.

Mr. EWING from the Committee on Motor Vehicles re-reported as committed, House Bill No. 302, entitled:

An Act to further amend section seven hundred seven subsection (e) of section nine hundred three and to repeal section seven hundred eight and subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to the weight length and width of motor buses and motor omnibuses and loads and changing the registration fees of motor buses motor omnibuses and other vehicles used for the transportation of passengers.

Mr. ROYER from the Committee on Motor Vehicles re-reported as committed, House Bill No. 592, entitled:

An Act to further amend section six hundred twenty-one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," by permitting certain minors under eighteen years of age to operate certain commercial motor vehicles as paid operators for the duration of the present war and six months thereafter.

CONVENTION DELEGATES WELCOMED

The SPEAKER. The Chair understands that the C. I. O. Convention meets in Harrisburg and that there are a number of delegates attending the session this morning. The Chair would ask them to rise in their places and receive recognition. We are happy to have you with us.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, several weeks ago for some reason still unknown to the minority, a series of bills was suddenly considered in Committees and reported out on the floor of the House before any of them had even been printed in pink, and before even the Legislators had had an opportunity to have the bills for any time to read or to consider, let alone taking them back home to consult persons or constituents who might be interested in the legislation. We got over that one, and we were able to help remedy the situation somewhat by not moving those bills too rapidly, so that there would be an opportunity for study. I thought, Mr. Speaker, snarls of that sort could be avoided by more careful action in the future. But today we have another situation that deserves comment. Many of the Members on this side of the House, in fact all of the Members on this side of the House, and I know of several on the other side who came to work this morning—I don't know what time a lot of them came in, but I came in at 10:30, and as I got off the elevator I got off with Members of the majority and of the minority party, and for the first time, looking at the black board, I found that Committee meetings were being held. In fact one of the Committee meetings had started at ten o'clock. There were meetings set for eleven o'clock and twelve o'clock. I don't know how many members on the other side of the House had notice of those meetings. All the Members know that the Committee on Judiciary General and the Committee on Welfare hold Committee meetings at ten o'clock and eleven o'clock every Tuesday of the session, so that there can be no complaint as to those Committee meetings, but on these other Committees at least the minority was left out. Whatever members happened to come along and happened to see the Committee was meeting, were able to go into the Committee meeting, but I think some of the Members on the other side of the House did not have a chance to go into the Committee meetings, and I think most of the Members of this side of the House had no chance to go into the Committees to discuss or to approve or disapprove of the bills. I should not like to think, Mr. Speaker, that it was a sort of a plot to get certain bills out without certain people being around. If it is such a plot, of course, it stands roundly condemned, and we are going to continue to condemn and oppose bills if they reach the floor of this House without proper, full committee consideration being given, after notice of Committee meetings has been given to the Members of the House.

I should rather think, Mr. Speaker, that it was not a diabolical plot, and for that reason, I make the suggestion that all these bills that were reported out today, if they appear on the calendar, either be held on the calendar until a full committee meeting is held or they be recommitted so that the committee may study them. I don't know what any of these bills contain, and neither do the members on this side of the House because we haven't studied them. We want a chance to study the bills. They may be o.k. and they may all not be o.k., we don't know, but we certainly want the right to go into these bills and know what they are about before they take their order on the calendar.

PERMISSION TO ADDRESS HOUSE

Mr. LICHTENWALTER asked and obtained unanimous consent to address the House.

Mr. Speaker, I should like to briefly reply to the gentleman from Philadelphia, I understand that the Bulletin Board was very plainly marked as to the time and place of the various committee meetings this morning, at the time we adjourned this House, and I don't see any reason why that was not plenty of notice in good time for any of the members who cared to get up early enough this morning to attend committee meetings. I certainly do not see any reason personally for holding any of these particular bills on the calendar.

After all, if the shoe pinches, and and the Members were not able to get here this morning, let us put the shoe on the foot of those who want to wear it. There has been plenty of time to study these bills. They have been in committee for many days, and there have been practically no bills introduced for the past few weeks.

If we can be shown where any of these bills that were reported out of committee have just been there for a matter of a few days' time, that these men have not had the opportunity to study them and scrutinize them, that is one question, but I certainly am opposed, just because certain men could not get to certain committee meetings because of circumstances and things that happened in this House for which this side of the House is certainly not to blame, if they could not get there it is just too bad.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, I have made it a practice around here when we adjourn at the end of any particular session, be it at night or in the daytime, be it at eleven o'clock, two o'clock in the morning or six o'clock in the afternoon, to close up shop. I am usually the last man to leave the floor on this side of the House, and before I leave my office, I usually take a look in again to make myself sure that everything is all right.

When I left the hall of the House last night, Mr. Speaker, I looked at the Bulletin Board as I usually do, and the Bulletin Board had nothing on it. There were no Committee meetings on that Bulletin Board last night when I left, and certainly I do not think it is the duty of the Members of the House to stand out there and wait for the man who has been delegated to mark up the Bulletin Board to come out and mark it up. I am not complaining about these bills, I do not know whether they are good ones or bad ones. The chances are that they are all good. That is not the point. I am not talking about the fact that we may or may not have had a chance to study these bills, as all good Legislators ought to know what every one of these eleven hundred bills introduced in this House contains. You are supposed to read them all. What I am complaining about is that once having gone to the trouble of studying them you don't get a chance to discuss them in committee. That is what committees are for, to voice your objections, to point out defects, to make suggestions for betterment. That is what I am complaining about, Mr. Speaker. I am complaining about the fact that there was no announcement by the Reading Clerk last night that there would be committee meetings. That is what usually happens in this House, announcements are made. I am complaining that these announcements were not on the Bulletin Board last night. I cannot blame any Member on this side of the House if he wants to sleep a little bit longer. If he knew that he had to get up to attend a committee meeting at ten o'clock in the morning he would probably get here in time. We might have someone on this side of the House who does not read all the bills. I think these people should get a badge of merit and valor for doing all that work so that they may have a chance for a discussion of the bill in committee. I am complaining about being blanked out and being shut out from consideration of the bills that are put out, good or bad.

Mr. HEATHERINGTON. Mr. Speaker, I would like to ask the gentleman from Lehigh, Mr. Lichtenwalter, a question.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, has it not always been the policy in the past that the Reading Clerk announce the place and time of committee meetings?

Mr. LICHTENWALTER. Mr. Speaker, that has been the policy. As the gentleman from Philadelphia said, that has been the usual policy. I might say that last night we seem to have run into the unusual so far as the operations of the House are concerned.

Mr. HEATHERINGTON. I thank the gentleman.

Mr. Speaker, after the House adjourned last night I left here with the rest of the members with nothing on the Bulletin Board. I came back here about 2:25 or 2:30 this morning, being the only Member in the House at that time, and I really know that at that time the Reading Clerk was marking up the committee meetings for this morning.

BILLS READ AT LENGTH

Mr. COHEN. I request, Mr. Speaker, in accordance with the terms of the Constitution of Pennsylvania that all bills be read at length.

The SPEAKER. Does the gentleman insist that all bills be read at length?

Mr. COHEN. I do, Mr. Speaker.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 563, entitled:

An Act to repeal section five of the act, approved the fourth day of May, one thousand nine hundred five (P. L. 385), entitled "An act creating the Water Supply Commission of Pennsylvania; defining its duties; fixing the scope of its authority and powers, and making an appropriation for the payment of the salaries and expenses connected therewith," prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RECESS

Mr. LICHTENWALTER. Mr. Speaker, I move that a recess of this House be declared for one hour for the purpose of holding a Republican caucus.

The motion was agreed to.

AFTER RECESS

The SPEAKER (Ira T. Fiss) in the Chair.

The SPEAKER. The time of recess having expired the House will be in order.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 34, 60, 138, 230, 473, 475, 504 AND 688.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 19943.

To the Honorable, the House of Representatives, of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 34, Printer's No. 31, entitled "An Act to further amend section fourteen of the act approved the eighteenth day of July one thousand nine hundred seventeen (Pamphlet Laws 1043) entitled 'An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties' by providing that employes on retirement for super-annuation who return to active school service during the present war shall not upon return to retirement receive any smaller allowance than that received prior to return to active school service."

I have the honor to inform you that I have this day approved and signed House Bill No. 60, Printer's No. 14, entitled "An Act to further amend sections two thousand six hundred twenty and two thousand six hundred twenty-five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith,' by providing for the filing of copies of auditors' reports in school districts of the third and fourth classes."

I have the honor to inform you that I have this day approved and signed House Bill No. 138, Printer's No. 146, entitled "An Act to further amend section seven of the act approved the second day of May one thousand eight hundred eighty-nine (Pamphlet Laws 66) entitled 'An act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same' by providing that any number of items paid into or deposited in the custody or under the control of any court of the United States in and for any district within this Commonwealth or in the custody of any depository registry or of any receiver clerk or other officer of any of the said courts may be joined in one petition of escheat."

I have the honor to inform you that I have this day approved and signed House Bill No. 230, Printer's No. 110, entitled "An act to amend section two of the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 228) entitled 'A supplement to the act approved the eighteenth day of June one thousand nine hundred and twenty-three (P. L. 840) entitled 'An act concerning declaratory judgments and decrees and to make uniform the law relating thereto' prescribing the practice to be pursued in such proceedings' making further provision for the service and return of petitions for declaratory judgments."

I have the honor to inform you that I have this day approved and signed House Bill No. 473, Printer's No. 120, entitled "An act to repeal the act approved the twenty-seventh day of February one thousand eight hundred seventy-two (P. L. 179) entitled 'An act to provide for the more economical collecting of state county poor and military taxes in the county of Huntingdon.' "

I have the honor to inform you that I have this day approved and signed House Bill No. 475, Printer's No. 177, entitled "An act to further amend section twenty-five of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1237) entitled 'An act affecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto' by providing that in the case of any spouse on active duty in the armed service of the United States in time of war the affidavit accompanying his or her libel in divorce may be taken within or without the Commonwealth before any officer commissioned in the armed forces of the United States authorized by law to take affidavits and acknowledgments."

I have the honor to inform you that I have this day approved and signed House Bill No. 504, Printer's No. 152, entitled "An Act providing that persons in the armed forces and merchant marine of the United States and its allies may renew licenses or certificates to engage in professions and occupations after discharge from military service."

I have the honor to inform you that I have this day approved and signed House Bill No. 688, Printer's No. 165, entitled "An Act authorizing political subdivisions to refund money erroneously or inadvertently paid by persons and corporations into the treasury thereof for municipal improvements or upon municipal assessments liens whereof have been subsequently declared illegal and invalid."

EDWARD MARTIN.

PETITIONS AND COMMUNICATIONS

The SPEAKER laid before the House the following petitions and communications which were read by the Clerk.

BUILDING AND LOAN ASSOCIATIONS

A communication from the Palmerton Building and Loan association protesting passage of House Bill No 486.

Referred to the Committee on Building and Loan Associations.

TAXES

A resolution from the Union Employing Printers' Association of Pittsburgh, praying for the passage of House Bill No. 195.

Referred to the Committee on Counties.

GAME

Communications protesting the passage of House Bill No. 848.

Referred to the Committee on Game.

BLUE LAWS

A communication from the United Federal Workers of America, Philadelphia, favoring passage of House Bill No. 396.

Referred to the Committee on Law and Order.

COMMITTEE APPOINTED TO ESCORT GOVERNOR

The SPEAKER. The Chair appoints as a Committee on the part of the House to act with a similar committee on part of the Senate to escort the Governor and distinguished guests to the Hall of the House, Messrs. David P. Reese, Jr., Royer and Goodwin.

RESOLUTION

COMMITTEE TO ESCORT SENATE TO HALL OF HOUSE

Mr. JAMES asked and obtained unanimous consent to offer a resolution and for its immediate consideration.

The resolution was twice read considered and adopted as follows:

In the House of Representatives, April 13, 1943.

Resolved, That the Speaker appoint a Committee of two to escort the Members and Officers of the Senate to the Hall of the House for the purpose of attending a Joint Session to hear addresses commemorating the bicentennial of the birth of Thomas Jefferson.

COMMITTEE APPOINTED TO ESCORT SENATE

The SPEAKER. The Chair appoints as a committee to escort the Senate to the Hall of the House, Messrs. James and Kolankiewicz.

BILLS ON SECOND READING

The SPEAKER. If there is no objection the Chair will take up on today's calendar, bills on second reading. Is there objection? The Chair hears none.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 192, entitled:

An Act to amend section two thousand six hundred twenty-one and to further amend section two thousand six hundred twenty-five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the method of publication of a statement of the reports of auditors in school districts of the second, third and fourth classes, and establishing a method for the payment of the cost thereof.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. WINNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 468, entitled:

An Act to further amend sections three hundred seven and five hundred one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental disease, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition, and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care and discharge of mental patients; and imposing penalties," imposing certain costs on the institution district.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 153, entitled:

An Act authorizing the Department of Property and Supplies with the advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania certain land upon which is located the site of Fort LeBoeuf in Waterford Borough Erie County or so much thereof as may be necessary as a historical memorial providing for the control management supervision improvement restoration and maintenance thereof authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Colonists and interested patriotic societies in providing funds for a restoration of Fort LeBoeuf and making an appropriation

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 424, entitled:

An Act to amend section eighteen and one-tenth of the act approved the seventh day of June one thousand nine hundred and fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" extending the special file for the records of births of veterans of the World War to veterans of certain other wars

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 523, entitled:

An Act to amend subsection (c) of section twelve hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of apropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State goevrnment every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by excepting therefrom the transfer of stock assigned by a decedent before his death as collateral security for a loan and requiring the holder of such stock to report concerning the sale thereof to the Department of Revenue

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 583, entitled:

An Act to further amend section fourteen of article four and section one of article five of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating lamps to be carried by shot-firers and fire bosses

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 591, entitled:

An Act to amend section two of the act approved the eighth day of April one thousand nine hundred and thirty-seven (P. L. 256) entitled "An act relating to counties of the first class and the duties of the treasurers thereof in connection with the collection of certain taxes fees license taxes and license fees payable to the Commonwealth and making provision for the disposition of the compensation therefor heretofore received by such treasurers" by authorizing the county treasurers in counties of the first class to deduct from moneys collected by them for the Commonwealth the amount of premiums paid by them for the bonds which they are required to furnish to protect and safeguard the funds of the Commonwealth in their hands

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 624, entitled:

An Act to further amend section two thousand six hundred twenty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violations thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be in consistent therewith" by providing for the fixing of the compensation of the controller auditing the accounts of second and third class school districts

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 679, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the term of the county assistant county district and assistant district superintendents

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 720, entitled:

An Act requiring certain taxes of the political subdivisions in counties of the first class to be stricken from the records prohibiting such taxes from being included in the computation of the solvent debts of such political subdivisions providing for the collection thereof

The first section was read.

On the question,

Will the House agree to the section?

Mr. TATE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Root, the sponsor of this measure.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated

Mr. ROOT. I shall, Mr. Speaker.

Mr. TATE. Mr. Speaker, I desire to know from the gentleman, referring to section 6, which is known as the repeal section, why is it necessary to repeal the Act of 1939?

Mr. ROOT. Of course, the act—

The SPEAKER. Will the gentleman yield please? Did the Chair understand the interrogation was directed to section six?

Mr. TATE. Yes, Mr. Speaker.

The SPEAKER. We are considering section 1 of the bill. Will the gentleman yield until we have reached section six?

Mr. TATE. May I ask the gentleman some general questions about the bill?

The SPEAKER. If the gentleman's questions refer to section 1, he may do so.

Mr. TATE. Yes, Mr. Speaker, they do.

The SPEAKER. The gentleman will proceed.

Mr. TATE. Mr. Speaker, I desire to know from the gentleman as to what happens to the period of redemption which follows after the discharge of the lien.

Mr. ROOT. There isn't any period of redemption on the tax lien provided for in this bill.

Mr. TATE. Mr. Speaker. I desire to know from the gentleman if the Receiver of Taxes in the City of Philadelphia desires by this bill to strike from the records taxes on which the liens have already been discharged by operation of law, and can the gentleman tell me what amount of taxes are involved.

Mr. ROOT. I cannot, Mr. Speaker.

Mr. TATE. Can the gentleman tell me whether it may be one million dollars?

Mr. ROOT. Mr. Speaker, the amount of money that is involved I don't know, but it does not represent any asset of the City of Philadelphia because the tax liens have already been discharged by law.

Mr. TATE. Mr. Speaker, can the gentleman tell me whether or not this situation refers to any specific case?

Mr. ROOT. It does not, Mr. Speaker.

Mr. TATE. Mr. Speaker, can the gentleman tell me what departments of the City of Philadelphia are objecting to carrying these taxes on the tax records?

Mr. ROOT. Mr. Speaker, the Receiver of Taxes and all good business practice requires that you do not carry upon the books of any business or any municipality tax liens that have been discharged by law.

Mr. TATE. Mr. Speaker, I desire to know whether any group of citizens have objected to this practice.

Mr. ROOT. Mr. Speaker, I would say that all citizens of the City of Philadelphia desire to see this bill passed, because they do not want the city to carry on its books liens that have already been discharged by law.

Mr. TATE. Mr. Speaker, I desire to know from the gentleman whether or not he has received any communications from any citizens or groups of citizens favoring this measure.

Mr. ROOT. I do not think that this is an issue that requires any citizen to write a letter upon the subject.

Mr. TATE. Mr. Speaker, can the gentleman tell me why the citizens favor it if they don't know anything about it?

Mr. ROOT. Mr. Speaker, the gentleman from Philadelphia knows, being a good business man, that no one carries on his books assets that are worthless and the City of Philadelphia wishes to follow the same procedure.

Mr. TATE. I thank the gentleman, Mr. Speaker.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second, third, fourth and fifth, sections were separately read and agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. TATE. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Root.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Root, permit himself to be interrogated?

Mr. ROOT. I will, Mr. Speaker.

Mr. TATE. Mr. Speaker, I desire to know from the gentleman why he is repealing in this section the Act of 1939 which was supposed to have taken care of this situation?

Mr. ROOT. Because the Act of 1939 does not take care of the situation, Mr. Speaker, this bill was introduced and that is why we are repealing the old act.

Mr. TATE. Mr. Speaker, can the gentleman tell me why it does not take care of the situation

Mr. ROOT. Mr. Speaker, under that act tax liens are kept on the books of the Receiver of Taxes even though they are worthless and cannot be collected.

Mr. TATE. Can the gentleman specify what the Act of 1939 provided?

Mr. ROOT. Mr. Speaker, the Act of 1939 provided that the Receiver of Taxes keep records of all taxes assessed until collected.

Mr. TATE. Does not the gentleman know that the Act of 1939, P. L. 322, specifically states that the Receiver of Taxes is to certify the liens that have been discharged to the Board of Revision of Taxes, and that the board may order stricken from the record the specific liens which have been discharged by operation of law

Mr. ROOT. In answer to the gentleman, Mr. Speaker, the Receiver of Taxes desires to keep a clean set of records and does not wish to wait for the Board or Revision to tell them when to strike off these liens.

Mr. TATE. Mr. Speaker, can the gentleman tell me whether or not the Board of Revision of Taxes has been delinquent in this respect ?

Mr. ROOT. I don't think so. The Board of Revision of Taxes is attending to their duties, and this is merely an additional help from the Receiver of Taxes to do this job more perfectly and more accurately.

Mr. TATE. Mr. Speaker, I take it then that there is no reason for this bill. I thank the gentleman.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The seventh section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 752, entitled:

An Act to further amend section four hundred three of the act approved the twenty-fourth day of June one thouand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by increasing the sum which institution districts may provide for certain burials

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 767, entitled:

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to registration plates and the issuance thereof by the department

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 771, entitled:

An Act to amend section three hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to registration plates and the issuance thereof

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 780, entitled:

An Act to amend the definition of "Trailer" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005 entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon onwers counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner shall be exempt from registration fees

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 789, entitled:

An Act to amend the definition of "Trailer" in section one hundred two as amended by the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of anmials upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" provided that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner no registration fee shall be required therefor

The first section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. GREENWOOD offered the following amendment:

Amend title, page 2, line 1 of title on page 2, by striking out the word "alderman" and inserting in lieu thereof: "aldermen".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 798, entitled:

An Act to further amend subsection (b) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animal upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the provisions of said act relating to the further revocation and suspension of operating privileges of persons who operate motor vehicles while their operators' licenses or learners' permits are revoked or suspended

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 805, entitled:

An Act provoding for the appointment of a clerk to the jury commissioners in counties of the third class by the court of common pleas the fixing of his salary by the salary board and the payment thereof by the county

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 927, entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing certain routes and adding certain new routes

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. HALL. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways for the purpose of further study and possible amendment.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 937, entitled:

An Act to amend section two of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" as amended by changing certain routes and adding certain new routes

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. HALL. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways for the purpose of further study and possible amendment.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 940, entitled:

An Act to amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" as amended by changing certain routes and adding certain new routes

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. HALL. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways for the purpose of further study and possible amendment.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 989, entitled:

An Act to amend clause three of section thirteen of article nineteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entited "An act for the better government of cities of the first class of this Commonwealth" by providing that persons certified by the Civil Service Commission as eligible for appointment or promotion to various positions who are prevented from accepting such appointment or promotion because of their entrance into the armed forces of the United States Government during time of war shall be retained on a preferred eligible list for such appointments or promotions until two years after the termination of hostilities in such war

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1082, entitled:

An Act authorizing the Governor of the Commonwealth of Pennsylvania for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection Senate Bill No. 281, Printer's No. 135, was passed over at the request of the SPEAKER.
There being no objection Senate Bill No. 296, Printer's No. 95, was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 293, entitled:

An Act authorizing for a temporary period of time the employment of minors as pin boys in bowling alleys and suspending existing laws which prohibit such employment

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 317, entitled:

An Act to further amend section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership association and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by further extending the exemptions from the tax imposed by the said act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 451, entitled:

An Act to add section seven and one-tenth to the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 400) entitled "An act to protect the debtors obligators or guarantors of debts for which judgments are entered or may be entered and owners of real property affected thereby and others indirectly liable for the payment thereof by prescribing the method of fixing the fair market value of such property sold on execution and limiting the amount collectible thereafter on such judgments" providing for the entry of release and discharge of said judgments under certain circumstances

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 678, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund clarifying certain provisions relating to extensions of time for filing tax reports or returns eliminating the provisions imposing interest on tax and bonus at any greater rate than six per centum per annum changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a perscibed period of time providing for the automatic adjustment of interest liability so as to correspond to certain changes in tax or bonus liability and further regulating the procedure for filing petitions for resettlement petitions for review appeals to court and the security accompanying such appeals

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 797, entitled:

An Act to amend section two of article five of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providing that certain low pressure boilers used for heating purposes only shall be exempt from the requirements of said section which prohibits the installation of boilers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal

And said bill having been read at length the second and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 711, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the appointment of assistant county superintendents

The first section was read.

On the question,

Will the House agree to the section?

Mr. HALL offered the following amendment:

Amend Sec. 1 (Sec. 1126), page 2, line 22, by striking out the word "one" at the end of said line.

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

QUESTION OF INFORMATION

Mr. COHEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. COHEN. Mr. Speaker, is the bill just considered and which passed second reading House Bill 711, Printer's No. 371?

The SPEAKER. That is correct.

Mr. COHEN. Mr. Speaker, do all the Members of the House get the same copy of the bills as were read by the Clerk?

The SPEAKER. House Bill 711, Printer's No. 371?

Mr. COHEN. Having carefully followed the reading clerk, I find that there is quite a lot more in this bill that I have that I have not heard read.

The SPEAKER. The reading clerk states decisively that he read all of the bill, and also the title.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 77, entitled:

An Act to amend section eighteen and to further amend section twenty-two of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" permitting registrations before justices of the peace or aldermen

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. KRISE. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 79, entitled:

An Act to amend section nineteen and to further amend section twenty-three of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" permitting registrations before aldermen

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. KRISE. Mr. Speaker, I move that this bill be recommittee to the Committee on Elections for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 305, entitled:

An Act providing for the admission of children to and their education and maintenance in and their discharge from the Pennsylvania Soldiers' Orphan School prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School and prescribing penalties

The first section was read.

On the question,

Will the House agree to the section?

Mr. MOCK offered the following amendment:

Amed sec. 1, page 1, line 4, by inserting after the word "children" the words and figure "over six (6) and".

It was agreed to.

The section was agreed to as amended.

The second, third, fourth, fifth and sixth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 360, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making war-time emergency provisions for substitute teachers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 823, entitled:

An Act to further amend section fourteen of the act approved the thirteenth day of May one thousand nine hundred and fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by permitting examinations to be made by any licensed physician

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 825, entitled:

An Act to amend section one of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 403) entitled "An act fixing the salary of county commissioners in counties of the third fourth fifth and sixth classes" by increasing the salary of county commissioners in counties of the sixth class

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

RECESS

Mr. WALTER E. ROSE. Mr. Speaker, I move that the House do now recess until 8 p. m.

The motion was agreed to.

AFTER RECESS

The House met at 8 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 49

An Act to amend the title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by inserting after the word "Guard" the following: "and authorizing additional annual allowances to uniformed officers for arms uniforms and equipment."

Amend Section 1, page 6, line 20, by inserting after the word "Governor" the following: "and in addition thereto if found necessary the Governor may prescribe a further allowance not to exceed thirty dollars ($30.00) in any one year for each officer."

On the question,

Will the House concur in the amendments made by the Senate?

MESSAGE AND BILL LAID ON TABLE

Mr. MUIR. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 235.

An Act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery under certain conditions for a limited period of time.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 4, by inserting after the word "surgery" the words "in this State."

Amend Section 1, page 2, line 3, by inserting after the word "suspended" the following: "and further he or she shall furnish satisfactory proof that he or she is of good moral character is not addicted to the intemperate use of alcohol or narcotic drugs and is of satisfactory professional standing in the state from which he or she comes;" also in line 15, by striking out after the word "shall" the words "Act only on the recommendation," and inserting in lieu thereof the words "give due consideration to the recommendation"

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 388.

An Act to amend section four hundred and twenty A of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by giving minors of the age of eighteen years and upwards full power and authority to make contracts of insurance or annuity with any life insurance company authorized to do business in the Commonwealth of Pennsylvania and to exercise all the powers rights and privileges of ownership conferred on them under the terms of any and all such contracts applied for or issued to them regardless of whether such contracts were issued before or after such minors reached the age of eighteen years with the same force and effect as if they were of age.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 2, line 4, by striking out after the word "them" the following: "regardless of whether such contracts were issued before or after such minors reached the age of eighteen years."

Amend Section 1, page 3, line 10, by striking out after word "them" the following: "regardless of whether such contracts were issued before or after such minors reached the age of eighteen years."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 696.

An Act to repeal the act approved the eighteenth day of June one thousand eight hundred ninety-seven (P. L. 168) entitled "An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standard to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same"

HOUSE BILL No. 651.

An Act providing for the printing and distribution of Senate and House Bills and Senate and House Calendars

With the information that the Senate has passed the same without amendment.

RESOLUTION

RECALLING HOUSE BILL No. 440 FROM THE GOVERNOR

Mr. BROWN offered a resolution which was twice read, considered and adopted as follows:

In the House of Representatives, April 13, 1943.

Resolved (if the Senate concur), that House Bill No. 440, Printer's No. 282, entitled "An act to further amend section seven hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled 'An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations' by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 114 and 533

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 13, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 114, Printer's No. 23, entitled "An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given."

I have the honor to inform you that I have this day approved and signed House Bill No. 533, Printer's No. 113, entitled "An Act to amend the title and Section 1 of and to add Sections 2.1, 2.2, 2.3 and 2.4 to the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 496) entitled 'An act providing that taxes on unseated lands shall be collected and returned in the same manner and at the same time as taxes on seated lands' providing that in counties of the seventh and eighth classes taxes on unseated lands shall be returned by the tax levying authorities to the county commissioners and collected by the county treasurer."

EDWARD MARTIN.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 858, entitled:

An Act to amend section nine of the act approved the thirteenth day of May one thousand nine hundred and fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by changing certain rules for the issuance and filing return of employment certificates in certain public school districts

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. LEYDIC. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor for the purpose of further study and possible amendment.

The motion was agreed to.

BILL PASSED OVER

There being no objection, Senate Bill No. 20, Printer's No. 123, was passed over at the request of the SPEAKER.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 663, entitled:

An Act to further amend Section 2 to amend Sections 3 and 5 to add Section 8.1 and to amend Section 11 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by reducing the number and changing the manner of appointment of members of said board further prescribing their powers and duties fixing the qualifications and requiring examinations of employes of the board further regulating the making of assessments and valuations of real property and imposing duties on certain county officers

The first section was read.

On the question,

Will the House agree to the section?

Mr. HANNON offered the following amendments:

Amend Sec. 1 (Sec. 2), page 3, line 1, by striking out the word "value" and inserting in lieu thereof: "values."

Amend Sec. 1 (Sec. 2), page 3, lines 23 and 24, by striking out the word "different from that of the other two members" and inserting in lieu thereof: "and not more than two members shall be of the same political party."

Amend Sec. 1 (Sec. 2), page 4, line 18, by striking out "vacanices" and inserting in lieu thereof: "vacancies."

Amend Sec. 1 (Sec. 2), page 6 lines 15 to 21, by striking out the following: "One county commissioner to be chosen by the" in line 15, all of lines 16 to 20, both inclusive, and the words "county if such there be shall meet with the" in line 21, and inserting in lieu thereof: "The."

Amend Sec. 1 (Sec. 2), page 6, line 22, by inserting after the word "board" the following: "shall meet with the board of county commissioners during."

Amend Sec. 1 (Sec. 2), page 6, line 22, by striking out the word "June" and inserting in lieu thereof: "March and the first week of November of."

On the question,

Will the House agree to the amendments?

MOTION TO RECOMMIT

Mr. BAKER. Mr. Speaker, I move that this bill together with the amendments be recommitted to the Committee on Cities of the Second Class, and I ask for a roll call.

On the question,

Will the House agree to the motion?

Mr. FLEMING. Mr. Speaker, I rise to oppose this motion and would ask the Members to vote it down.

PARLIAMENTARY INQUIRY

Mr. LEONARD. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. LEONARD. Must a member be inside the hall of the House for his vote to be counted?

The SPEAKER. If a member is present inside the hall of the House during the calling of the roll he is qualified to vote.

Mr. LEONARD. Then, Mr. Speaker, if he is not in the hall when the roll has been called?

The SPEAKER. If a member is not in the hall of the House at any time during the roll call he is not qualified to vote.

Mr. LEONARD. I thank you, Mr. Speaker.

The yeas and nays were required by Mr. Baker and Mr. Leonard and were as follows:

YEAS—43

Baker,
Barrett,
Bentzel,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Chervenak,
Cohen,
Coleman,
Croop,
Dillon,
Elliott,
Green,
Hamilton,
Herman,
Hunter, B. F.,
Kirley,
Leonard,
Longo,
Lovett,
Mooney,
Moran,
Munley,
O'Connor,
O'Neill,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Regan,
Reynolds,
Sarraf,
Scanlon,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Welsh,
Wright,
Yester,

NAYS—99

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Dix,
Elder,
Ely,
Figlock,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gates,
Gillan,
Goodling,
Gorman,
Gyger,
Hall,
Hannon,
Haudenshield,
Hocke,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Irvin,
James,
Jones,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lyons,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Miller,
Mintess,
Mock,
Moore,
Muir,
Murray,
Nowak,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. HANNON offered the following amendments:

Amend Sec. 2, page 7, line 1, by striking out the word "and".

Amend Sec. 2, page 7, line 1, by inserting after the word "five" the following: "and seven."

Amend Sec. 2 (Sec. 3), page 8, line 7, by inserting after the figure "(80)" the following: "per centum of perfection."

Amend Sec. 2 (Sec. 3), page 8, line 17, by inserting after the figure "(80)" the following: "per centum of perfection."

Amend Sec. 2 (Sec. 3), page 9, line 1, by striking out the words "or any office holder" and inserting in lieu thereof: "or any officer of any political organization."

Amend Sec. 2, page 10, by inserting between lines 2 and 3, the following: "Section 7. The board [may] shall divide the county into three districts, as nearly equal as possible in subjects of taxation and [may] shall provide that triennial assessments shall be made each year after one thousand nine hundred forty-five, but for only one of such three districts during any one year. In order to inaugurate such system, a triennial assessment [may] shall be made for the first district, which shall include the city of Pittsburgh, during the year [immediately following one in which a triennial assessment was made for the county as a whole] one thousand nine hundred forty-four, and a triennial assessment [may] shall be made for the second [district] and third districts during the [second year following one in which a triennial assessment was made for the county as a whole.] year one thousand nine hundred forty-five.

They were agreed to.

The section was agreed to as amended.

The third section was read.

On the question,

Will the House agree to the section?

Mr. HANNON offered the following amendments:

Amend Sec. (Sec. 8.1), page 10, line 11, by striking out the words "in their broad meaning."

Amend Sec. 3 (Sec. 8.1), page 12, line 6, by striking out the word "If" and inserting in lieu thereof: "In."

Amend Sec. 3 (Sec. 8.1), page 12, line 11, by inserting after the word "inequalities' the following: "if not corrected after notice given to the assessor of the same."

Amend Sec. 3 (Sec. 8.1), page 12, line 14, by inserting after the word "inequalities" the following: "notice given, and failure to correct the same."

They were agreed to.

The section was agreed to as amended.

The fourth, fifth and sixth sections were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. HANNON offered the following amendments:

Amend title, page 1, line 1 of title, by striking out the word "and".

Amend title, page 1, line 2 of title, by inserting after the figure "5" the following: "and 7."

Amend title, page 2, last line of title, by inserting after the word "officers" the following: "and on judges of the court of common pleas."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 135, entitled:

An Act to further amend section one thousand two hundred five A of the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing temporary increases in compensation of professional employes of school districts and the discontinuance of such temporary increases without the consent of such employes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeeded to the second reading and consideration of House Bill No. 243, entitled:

An Act relating to marriage and amending revising consolidating and changing the law relating thereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

RESOLUTION

JOINT COMMITTEE

Mr. BROWN offered a resolution and asked and obtained unanimous consent to be read for the information of the House.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 13, 1943.

The situation that has arisen in the Senate and House of Representatives in connection with the reading of bills is a matter that should be adjusted before this Session brings representative government into disrepute.

The constitutional question involved should be easily adjusted if a joint committee of members of calm judgment should sit together and discuss the problem; therefore be it

Resolved (if the Senate concurs), That a committee of five members of the Senate, to be appointed by the President pro tempore, and five members of the House to be appointed by the Speaker of the House, is hereby created, whose duty shall be to immediately meet for the purpose of deciding upon a solution of the difficulty that now prevails in both branches of the General Assembly, and that the committee shall report its findings to the General Assembly as soon as possible in order that constitutional government shall again be vindicated.

The SPEAKER. Will the House give its unanimous consent to the immediate consideration of the resolution? Is there objection?

Mr. SALUS. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted. The resolution will be filed with the Clerk under the Rules.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 373, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the definition of "dealer" providing for the issuance and use of temporary registration cards and temporary registration plates or markers and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred and two of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

"Approved" Having been favorably passed upon by the secretary as suitable for the purpose designed

"Auxiliary Driving Lamp" A complete road illuminating device in addition to or supplementing the head lamps located upon the front of a motor vehicle

"Bicycle With Motor Attached" Every vehicle except a motorcycle as herein defined which is self-propelled by an engine not exceeding four (4) horsepower

"Business District" The territory contiguous to a highway when fifty (50) percent or more of the frontage thereon for a distance of three hundred (300) feet or more is occupied by buildings in use for business

"Chassis" The chassis of a motor vehicle to be propelled by an internal combustion or steam engine shall consist of an assembly of all essential parts with protective housings ready for operation on the highway including as minimum equipment a set of tires attached to wheels driver's seat including cab front wheel fenders running board or mounting step tool compartment priming coat on all parts to be painted pair of front lamps and one rear lamp license brackets jack and a set of tools commonly used for making adjustments and minor repairs on the highway water oil and fuel

"Clearance Lamp" A lamp or lamps so arranged to show white green or amber to the front and red to the rear

"Commercial Motorcycle" Every motorcycle designed to travel on three wheels in contact with the ground and designed for carrying freight merchandise implements or articles of any kind or service in connection with calling for and delivering automobiles to patrons

"Commercial Motor Vehicle" Any motor vehicle designed for carrying freight or merchandise Provided however That a motor vehicle originally designed for passenger transportation to which has been added a removable box body without materially altering said motor vehicle when owned and used by a farmer shall not be deemed a "commercial motor vehicle" for the purpose of this act And further provided That any motor vehicle of the bus type operated under contract with or owned by any school district of this Commonwealth for the transportation of school children shall be deemed a "commercial motor vehicle"

"Crosswalk" That portion of a highway ordinarily included within the prolongation of curb and property lines at intersections or any portion of a highway clearly indicated for pedestrian crossing by lines or other markings on the surface

"Cushion Rubber Tire" A tire molded on a steel base having a longitudinal cavity running circumferentially at the center line of the tire extending from its base with a height of no less than one half the overall standing height of the tire such tires when new being no less than four and one-half (4½) inches high over all including steel base

"Dealer" [Any person firm corporation or association engaged in the purchase and sale of motor vehicles trailers and semi-trailers and who has an established place of business or any person regularly engaged in the business of transporting new vehicles on their own wheels and who has an established place of business] (1) A person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging new motor vehicles trailers or semi-trailers on commission or otherwise who maintains a salesroom or garage devoted principally to the motor vehicle business and who holds a contract in writing with a manufacturer giving such person selling rights for new motor vehicles trailers or semi-trailers or with a jobber of such vehicles who as such jobber holds a manufacturer's franchise or contract giving selling rights on new motor vehicles trailers or semi-trailers in this Commonwealth or (2) a person actively and principally engaged in and devoting a substantial portion of his time to the business of buying selling or exchanging used motor vehicles trailers or semi-trailers and who maintains a salesroom garage or used car lot actually occupied by such person either continuously or at regular intervals and upon which or adjacent thereto is a building owned or rented by such person where his books and records are kept and which is devoted principally to the motor vehicle business in which the repair of motor vehicles is subordinate or incidental to the business of buying selling or exchanging the same or (3) any person regularly engaged in the business of transporting new motor vehicles trailers or semi-trailers on their own wheels and who has an established place of business or (4) a person who is duly authorized to do business in this Commonwealth and is actively engaged in the business of financing sales or making loans on security of motor vehicles Provided however That a person entitled to dealer registration under clause (3) hereof may only use dealer's registration plates for the purpose of transporting new motor vehicles trailers or semi-trailers on their own wheels and a person entitled to dealer registration under clause (4) hereof may only use dealer's registration plates for the purpose of moving or operating a motor vehicle trailer or semi-trailer which he is repossessing or which after repossession he is moving for the purpose of repairing or having repaired demonstrating for sale or which he is moving for delivery to a bona fide purchaser in the regular course of his business

"Department" The Department of Revenue of this Commonwealth

"Emergency Brake" The means of applying braking effort to at least two (2) wheels on a motor vehicle normally operated by the operator's hand Provided however That where there are two (2) brakes both designed to be operated by the foot the one (1) equipped with a ratchet or other device for holding the brake in the applied position shall be considered the "Emergency Brake" and the requirements shall be the same as herein set forth

"Essential Parts" All integral parts and body parts the removal alteration or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle

"Explosives" Any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion that contains any oxidizing and combustible units or other ingredients in such proportions quantities or packing that any ignition by fire by friction by concussion by percussion or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb

"Flammable Liquid" Any liquid which has a flash point of seventy degrees Fahrenheit or less as determined by a tabliabue or equivalent closed cup test device

"Foreign Vehicles" Every motor vehicle trailer or semi-trailer which shall be brought into this Commonwealth otherwise than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in this Commonwealth

"Gross Weight" The combined weight of the vehicle or combination of vehicles and its or their load or loads exclusive of the operator

"Headlamp" A complete road illuminating device located upon the front of a motor vehicle the rays from which are projected forward other than a sidelight auxiliary driving lamp searchlight or spot lamp

"Highway" Every way or place of whatever nature open to the use of the public as a matter of right for purposes of vehicular travel The term "highway" shall not be deemed to include a roadway or driveway upon grounds owned by private persons colleges universities or other institutions

"Intersection" The area embraced within the prolongation of the lateral curb lines or if none then the lateral boundary lines of two or more highways which join one another at an angle whether or not one such highway crosses the other

"Jobber" Any person firm corporation or association engaged in the purchase and sale of new motor vehicles trailers or semi-trailers and their sale directly to dealers

"Learner's Permit" A permit issued to any person to learn to operate a motor vehicle or tractor

"Local Authorities" Every county municipal and other local board or body having authority to adopt local police regulations under the Constitution and laws of this Commonwealth

"Magistrate" A mayor burgess magistrate alderman justice of the peace or other officer having the powers of a committing magistrate

"Manufacturer" Every person engaged in the business of manufacturing motor vehicles trailers semi-trailers motors or bodies of such vehicles

"Mechanical Signal" A moveable device operated mechanically or by the driver and so constructed and arranged as to give a cautionary or direction signal to the front and rear

"Metal Tires" All tires the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material

"Motor Bus" Shall include all motor vehicles operated for the carriage of passengers for hire by individuals associations copartnerships or corporations required under the laws of this Commonwealth to obtain certificate of public convenience from the Public Utility Commission of the Commonwealth of Pennsylvania before engaging in the carriage of passengers for hire or by individuals associations copartnerships or corporations who or which were engaged in the business of carrying passengers for hire as common carriers prior to the first day of January one thousand nine hundred and fourteen

"Motorcycle" Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground except any such vehicle as may be included within the term "tractor"

"Motor Omnibus" Shall include all motor vehicles operated for the carriage of passengers for hire by individuals associations copartnerships or corporations who or which were not engaged in the carriage of passengers for hire as common carriers prior to the first day of January one thousand nine hundred and fourteen and who or which are not required under the laws of this Commonwealth to obtain from the Public Utility Commission of the Commonwealth of Pennsylvania certificate of public convenience for the carriage of passengers for hire or motor vehicle of the bus type not operated for the carriage of passengers for hire except as herein provided This definition shall not include or apply to any motor vehicle operated under contract with any school district of this Commonwealth for the transportation of school children such motor vehicles to come within the definitions of commercial motor vehicles or motor vehicles

"Motor Vehicles" Every vehicle as herein defined which is self-propelled except tractors power shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or travel through the air

"New Motor Vehicle" Every motor vehicle which is not defined as a reconstructed rebuilt or used motor vehicle

"Nonresident" Any person not a resident of this Commonwealth

"Obscured Registration Plate" Every registration plate the characters on which are not legible in daylight at a distance of fifty (50) feet from the front or rear of the motor vehicle on the line of the axis of the vehicle on an approximately level stretch of highway

"Operator" Every person who is in actual physical control of a motor vehicle or tractor upon a highway

"Operator's License" The license issued to any person to operate a motor vehicle or tractor

"Overtake" A vehicle or combination of vehicles shall be deemed to overtake another vehicle or combination of vehicles when all of the vehicle and its load or all of the combination of vehicles and their loads move so that any part of the vehicle or its load or any part of the combination of vehicles or their loads is opposite to or alongside of any other moving vehicle or its load or combination of vehicles or their loads being operated in the same direction as the overtaking vehicle or combination of vehicles

"Owner" A person or persons holding the legal title of a vehicle or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof or other like agreement with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee then such conditional vendee or lessee shall be deemed the owner for the purpose of this act

"Parking" The standing of a vehicle except police or fire department vehicle or ambulance whether occupied or not upon a highway otherwise than temporarily for the purpose and while actually engaged in loading or unloading or in obedience to traffic regulations or traffic signs or signals

"Parking Lamp or Clearance Lamp" A lamp or lamps so arranged to show white green or amber to the front and red to the rear

"Pass" A vehicle or combination of vehicles shall be deemed to pass another vehicle or combination of vehicles when all of the vehicle and its load or all of the combination of vehicles and their loads moves by or in advance of any moving vehicle and its load or combination of vehicles and their loads being operated in the same direction as the passing vehicle or combination of vehicles

"Passenger Seat" Each sixteen (16) inches of seating capacity in any motor omnibus or motor bus

"Peace Officer" A sheriff deputy sheriff constable member of the Pennsylvania Motor Police or other police officer vested with authority of arrest

"Pedestrian" Any person afoot

"Person" Every natural person firm copartnership association or corporation

"Pneumatic Tires" All tires inflated with compressed air

"Private Road or Driveway" Every road or drive not open to the use of the public for purposes of vehicular travel

"Railway Grade Crossing" Any set of tracks or rails of any steam gasoline or electric railway line which intersects or crosses any highway at the same level or grade of such highway except electric railway lines within cities boroughs or incorporated towns

"Rear Lamp" A lamp located upon the rear of a motor vehicle trailer or semi-trailer so arranged as to show red to the rear and illuminate the rear registration plate

"Rebuilt Motor Vehicle" Every motor vehicle which shall have been assembled by using new parts and used parts derived from other motor vehicles of the same make and rebuilt by the manufacturer thereof

"Reconstructed Motor Vehicle" Any motor vehicle which shall have been assembled or constructed largely by means of essential parts new or used derived from other motor vehicles or makes of motor vehicles of various names models and types or which if originally otherwise constructed shall have been materially altered by the removal of essential parts or by the addition or substitution of essential parts new or used derived from other motor vehicles or makes of motor vehicles

"Registration Card" Includes temporary registration card as well as other registration cards

"Registration Plates or Markers" Includes temporary registration plates or markers as well as other registration plates

"Residence District" The territory contiguous to a highway not comprising a business district when the frontage on such highway for a distance of three hundred (300) feet or more is closely built up with dwellings or by dwellings and buildings in use for business

"Resident" Any person who has a regular place of abode or business in the Commonwealth for a period of more than thirty (30) consecutive days in the year except as otherwise provided in sections four hundred nine and six hundred three

"Right of Way" The privilege of the immediate use of the highway

"Safety Zone" The area of space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set apart as a safety zone

"Secretary" The Secretary of Revenue of this Commonwealth

"Semi-Trailer" Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle

"Service Brake" The means of applying braking effort to at least two (2) wheels on a motor vehicle normally operated by the operator's foot

"Sidelights" Any lights upon a motor vehicle other than the headlamp or auxiliary driving lamp or searchlight or spot lamp the rays of which project forward

"Sign" Any device mark marker board plate or other contrivance designed for the purpose of guiding traffic or informing of a traffic regulation

"Signal Lamp" A lamp located upon the side or rear of a motor vehicle so arranged to show red green or yellow to the rear as a cautionary signal

"Solid Rubber Tire" Every tire made of rubber other than a pneumatic tire or a cushion rubber tire

"Specially Constructed Vehicle" Any vehicle which shall not have been originally constructed under a distinctive name make model or type by a generally recognized manufacturer of vehicles

"Spot Lamp" An auxiliary illuminating device either fixed or movable intended to project a powerful concentrated beam of light

"State" A State territory organized or unorganized or district of the United States of America

"Street Car" Every device traveling exclusively upon rails when upon or crossing a highway other than railroad cars or trains

"Tractor" Every vehicle of the tractor type as defined in the Tractor Code

"Traffic" Pedestrians vehicles and street cars either singly or together while using any highway for purposes of travel

"Traffic Signal" Any device using words or colored lights or a combination thereof either manually or electrically controlled by which traffic is alternately directed to stop and go

"Trailer" Every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle

"Truck Tractor" Every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn

"Used Motor Vehicles" Every motor vehicle which has been sold bargained exchanged given away or title transferred from the person who first acquired it from the manufacturer or jobber or dealer and so used as to have become what is commonly known as "second-hand" within the ordinary meaning thereof

"Vehicle" Every device in upon or by which any person or property is or may be transported or drawn upon a public highway excepting tractors agricultural machinery devices moved by human power or used exclusively upon stationary rails or tracks Provided That for the purpose of Article X of this act a bicycle or a ridden animal or a tractor or any other device moving upon wheels on a public highway except a device moving upon wheels upon stationary rails or tracks on a public highway shall be deemed a vehicle

Section 2 Section four hundred and eleven of said act as amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 411 Transfer of Registration Temporary Registration Cards (a) Upon transfer of ownership or the destruction of any motor vehicle trailer or semi-trailer the registration shall expire (b) When transfer of registration plates is made from one motor vehicle to another owned by the same person application shall be made immediately to the department upon a form furnished by the department accompanied by the transfer fee provided in this act when the motor vehicle trailer or semi-trailer is of equal or less horsepower or classification than that originally registered or accompanied by the transfer fee provided in this act and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer to which the registration plates are transferred be properly registered in a higher class Such application shall also be accompanied by the owner's registration card (c) The application shall contain the full name and the actual or bona fide address of the owner together with the name manufacturer's serial number engine number the character of the motive power and the horsepower or seating capacity and in the case of a commercial motor vehicle the gross weight of the chassis as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross maximum weight of chassis battery body and load as given and certified to by the manufacturer and in the case of trailers and semi-trailers the combined weight of the chassis and body and also such description of the motor vehicle trailer or semi-trailer including lamps and other equipment as the secretary shall require The application shall be signed by the owner if a natural person and in the case where the owner is a corporation copartnership or association by an executive officer thereof or some person specifically authorized by the said corporation copartnership or association to sign the same

(d) When a transfer of registration is made the owner shall be given a transfer registration card and new registration number if transfer is made to another classification [Immediately upon receipt of such transfer registration card the owner shall return to the department the original registration card unless such card has been lost or destroyed]

(e) When a transfer of registration is made after a vehicle has been registered for the succeeding year and the transfer application has been received and completed by the department prior to [January] April first of such succeeding year the transfer fee provided in this act shall not be required

(f) The secretary may allow the use of temporary registration cards pending the receipt of an annual registration card from the department which shall be valid for all purposes of this act but which shall be void upon the receipt of an annual registration card Temporary registration cards may be delivered to any notary public magistrate or dealer who shall have the authority to issue such temporary registration cards to any person upon the transfer of ownership of a motor vehicle Provided however That the secretary shall have the authority to suspend the privilege of any such notary public magistrate or dealer to issue temporary registration cards and upon suspension of such privilege the secretary shall require the surrender of any temporary registration cards that such person shall have in his possession upon a finding by the secretary that such person has issued a temporary registration card containing a misstatement of fact or has issued a card in violation of any of the regulations promulgated by the secretary under authority of this subsection Temporary registration cards shall set forth the name and address of the owner of the vehicle the registration number the make engine number and manufacturer's number of the vehicle from which transfer of registration is desired and the make engine number and manufacturer's number of the vehicle that has been purchased the date of issuance of such temporary registration card and any other information that the secretary may require The secretary shall have the power to make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this subsection

(g) It shall be unlawful for any notary public magistrate or dealer knowingly to issue a temporary registration card to any person containing any misstatement of fact

(h) It shall be unlawful for any person making an application of transfer of registration or for any person authorized to present such application to fail to forward or cause to be forwarded to the department such application within forty-eight (48) hours after the transfer of registration plates is made from one motor vehicle to another owned by the same person

Penalty Any person violating any of the provisions of subsection (b) [or] (d) (f) (g) or (h) of this section or any rule or regulation made by the secretary in accordance with subsection (f) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 3 Section five hundred and seven of said act is hereby amended to read as follows

Section 507 Temporary Use of Registration Plates Pending Transfer After the transfer of registration plate or plates from a motor vehicle trailer or semi-trailer to another motor vehicle trailer or semi-trailer owned by the same owner the owner or operator shall not for a period of twenty (20) days be subject to a fine for the operation of the latter motor vehicle trailer or semi-trailer without the proper transfer registration card for the registration plate or plates displayed provided he shall have made application to the department as required in this act within forty-eight (48) hours after said transfer of registration plate or plates for transfer of the registration and provided he shall upon prosecution make an affidavit or testify under oath to that effect

Section 4 Said act is hereby amended by adding thereto after section five hundred and ten a new section to read as follows

Section 511 Temporary Registration Plates or Markers

(a) The Secretary may subject to the limitations and conditions hereinafter set forth deliver temporary registration plates or markers to dealers when the application therefor is accompanied by the fee prescribed in this act Such application shall be made upon a form prescribed and furnished by the department Dealers subject to the limitations and conditions hereinafter set forth may issue such temporary registration plates or markers to owners of vehicles provided that such owners shall comply with the pertinent provisions of this section

(b) Every dealer who has made application for temporary registration plates or markers shall maintain in permanent form a record of all temporary registration plates or markers delivered to him and shall also maintain in permanent form a record of all temporary registration plates or markers issued by him and in addition thereto shall maintain in permanent form a record of any other information pertaining to the receipt or the issuance of temporary registration plates or markers that the secretary may require Each record shall be kept for a period of at least three (3) years from the date of entry of such record Every dealer shall allow full and free access to such records during regular business hours to duly authorized representatives of the department and to peace officers

(c)Every person who issues temporary registration plates or markers shall on the day that he issued such plates or markers send to the department a copy of the temporary registration plate or marker application properly executed by such dealer and the owner

(d) A person shall not issue assign transfer or deliver temporary registration plates or markers to any one other than the bonafide purchaser or owner of the vehicle to be registered nor shall a person issue temporary registration plates or markers unless previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration plate or marker application the owner has sent or sends a bonafide application for annual registration nor shall a person issue temporary registration plates or markers to any one possessed of annual registration plates for a vehicle that has been sold or exchanged nor shall a person who has been convicted of a violation of section six hundred and twenty (j) of this act issue temporary registration plates or markers to any person nor make application for or receive any temporary registration plates or markers for the purpose of issuance to an owner nor shall a person who has been convicted of three or more violations of the provisions of this section make application for or issue any temporary registration plates or markers nor shall a dealer lend to any one or use on any vehicle that he may own temporary registration plates or markers It shall be unlawful for any person to issue any temporary registration plate or marker or plates or markers containing any misstatement of fact or knowingly to insert any false information upon the face thereof

(e) Every person who issues temporary plates or markers shall affix or insert clearly and indelibly on the face of each temporary registration plate or marker on the date of issuance and expiration and the make and serial number of the vehicle for which issued

(f) If the secretary finds that the provisions of this section or the directions of the secretary are not being complied with by the dealer he may suspend after a hearing the right of a dealer to issue temporary registration plates or markers

(g) Every person who makes application for temporary registration plates or markers shall execute the temporary registration plate or marker application and shall return such application to the dealer from whom the vehicle to be registered has been or will be purchased

(h) Every person who makes application for temporary registration plates or markers shall execute and send an application for annual registration plates to the department previous to or at the same time that the dealer sends to the department a copy of the executed temporary registration certificate but in no event shall such application for annual registration plates be made later than the day on which the temporary registration plates or markers are issued to such owner

(i) Every person to whom temporary registration plates or markers have been issued shall permanently destroy such temporary registration plates or markers immediately upon receiving the annual registration plates from the department Provided That if the annual registration plates are not received within twenty (20) days of the issuance of the temporary registration plates or markers the owner shall notwithstanding immediately upon the expiration of such twenty (20) day period permanently destroy the temporary registration plates or markers

(i) Temporary registration plates or markers shall expire and become void upon the receipt of the annual registration plates from the department or upon the recission of a contract to purchase a motor vehicle or upon the expiration of twenty (20) days from the date of issuance depending upon whichever event shall first occur No refund or credit or fees paid by dealers to the department for temporary registration plates or markers shall be allowed except in the event that the secretary discontinues the issuance of temporary registration plates or markers dealers returning temporary registration plates or markers to the department may petition for refund or a credit thereof

(k) The secretary shall have the power to make such rules and regulations not inconsistent herewith as he shall deem necessary for the purpose of carrying out the provisions of this section

Penalty Any person violating any of the provisions of subsections (b) (c) (d) or (e) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution for the first offense fifty ($50) dollars and costs of prosecution for any subsequent offense and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days and upon conviction of a third offense no temporary registration plates or markers shall thereafter be delivered to such person for the purpose of issuing such plates or markers to an owner nor shall such person thereafter issue any temporary registration plates or markers Any person violating any of the provisions of subsections (g) (h) or (i) of this section or any rule or regulation made by the secretary as hereinbefore provided shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution for the first offense and twenty-five ($25) dollars and costs of prosecution for any subsequent offense and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 5 Said act is hereby amended by adding thereto after Section seven hundred and two a new section to read as follows

Section 702.1 Fee for Temporary Registration The fee for the temporary registration of motor vehicles shall be twenty-five (25c) cents for each set issued and dealers may purchase no less than five (5) sets of temporary registration plates or markers at any one time

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Jefferson permit himself to be interrogated?

Mr. DENNISON. I will, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I understand that this bill has already passed, reached the Governor and has been recalled. Will the gentleman tell me whether or not there were amendments inserted into the bill?

Mr. DENNISON. Amendments were inserted, yes, Mr. Speaker.

Mr. COHEN. For my information, Mr. Speaker, will the gentleman tell me what changes the amendments made in the bill as originally passed? Tell me the object.

Mr. DENNISON. Mr. Speaker, I would like to yield to the gentleman from Lancaster, Mr. Royer. They were his amendments.

The SPEAKER. Will the gentleman from Lancaster permit himself to be interrogated?

Mr. ROYER. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, will the gentleman from Lancaster tell me wherein the bill was amended since its recall from the Governor.

Mr. ROYER. Mr. Speaker, they have inserted the word "may" instead of the word "shall." They have made a "may" bill out of it.

Mr. COHEN. On what page, Mr. Speaker?

Mr. ROYER. On page nineteen, lines four and nine, take out the word "shall" and insert the word "may."

Mr. COHEN. Will the gentleman tell me whether or not the striking out of the word "shall" and inserting the word "may" would be entirely within the Secretary's discretion in the matter of who shall be the issuing agent.

Mr. ROYER. That is correct, Mr. Speaker.

Mr. COHEN. That is all, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W M.,
Huntley
Imbrie,
Irvin,
James,
Jones,
Lane,
Laughner
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Livingstone,
Lichtenwalter,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,

Dix,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Welsh,
Winner,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 703, as follows:

An Act to further amend section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" increasing amounts to be paid by State for livestock poultry and game birds

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" as last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 219) is hereby further amended to read as follows

Section 30 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the appraiser

When any payment is made by the State for any live stock including poultry or domestic game birds injured by a dog and live stock dying from or killed because of rabies such payment shall not exceed one hundollars for each horse or mule [sixty] seventy-five dollars for each head of unregistered cattle one hundred and fifteen dollars for each head of registered cattle [ten] twelve dollars for each head of unregistered swine sheep or goats [twenty] twenty-two dollars for each head of registered swine sheep or goats [three] four dollars for each full-grown goose [three] four dollars for each full-grown turkey or wild turkey and one dollar and fifty cents for each head of other poultry domestic game birds or domesticated hare or rabbit All appraisals under this act shall be at the actual value of the live stock including poultry or domestic game birds killed or injured

Section 2 The provisions of this act shall become effective on the first day of June one thousand nine hundred forty-three

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd.
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates
Gillan,
Goodling,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 120, as follows:

An Act to amend subsection (c) of section three and to further amend subsection (e) of section nine of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" by further defining the term "employer" and extending under certain circumstances the time limit within which petitions and charges may be filed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employees to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such case providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" is hereby amended to read as follows

Section 3 Definitions When used in this act

* * * *

(c) The term "employer" includes any person acting directly or indirectly in the interest of an employer but shall not include the United States or the Commonwealth or any political subdivision thereof or any person subject to the Federal Railway Labor Act or the National Labor Relations Act as amended from time to time except cases over which the National Labor Relations Board fails or refuses to take jurisdiction or any labor organization (other than when acting as an employer) or anyone acting in the capacity of officer or agent of such labor organization

Section 2 Subsection (e) of section nine of said act as amended by section one of the act approved the ninth day of June one thousand nine hunded thirty-nine (P. L. 293) is hereby further amended to read as follows

Section 9 Judicial Review

* * * *

(e) Petitions filed under this act shall be heard expeditiously and if possible within ten days after they have been docketed No petitions or charges involving questions arising under clause (b) of subsection (1) of section six shall relieve the board of determining any questions arising under subsection (c) of section seven of this act immediately and in their regular and normal order and the making of a certification thereon if such is warranted No petition or charge shall be entertained which relates to acts which occurred or statements which were made more than six weeks prior to the filing of the petition or charge Provided however That where any person entitled to file a petition or charge shall be engaged in an attempt to mediate or arbitrate the labor dispute involved such limitation of six weeks shall be extended for a further period of four weeks

On the question,

Will the House agree to the bill on third reading?

Mr. MODELL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Section 2. Subsection (e), Page 4 by striking out on Line 27 after the word "charge" the balance of said line.

Amend Section 2, Subsection (e), Page 4 by striking out Line 28.

Amend Section 2, Subsection (e), Page 5 by striking out Lines 1, 2 and 3 inclusive.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection?

Mr. HEWITT. Mr. Speaker, since these amendments cut out the four weeks additional time for the appeal, I will ask the members of the House to vote the amendments down, and I object.

The SPEAKER. All the gentleman needs to do is to object. The Chair hears objection and consent is not granted.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MODELL. Mr. Speaker, I have just endeavored to have amendments approved to House Bill 120 Printer's No. 314. This bill amends the Act of 1937 known as the State Labor Relations Act as amended in 1939. It was my thought, and I believe the thought of the sponsors of the bill originally, that the purpose of the original act was to make haste in deciding the various problems between labor and the employer. As a matter of fact, Mr. Speaker, the second amendment in this bill before the House is to subsection (e) of section nine of the State Labor Relations Act, and in 1937 the act read as follows:

"Petitions filed under this Act shall be heard expediously, and if possible within ten days after they have been docketed."

In 1939 an additional clause was added to that section, reading,

"No objections or charges involving cases arising under certain clauses shall relieve the board of determining any questions on certain other sections immediately."

The sponsor of this bill before the House is endeavoring to add to the six weeks allowed under the Act of 1939, an additional four weeks, so in all there will be ten weeks of further delay than originally planned by the sponsor of this particular act in 1937.

It is my thought that six weeks certainly is more than a sufficient period to determine any questions that may arise, and there certainly can be no need for an additional four weeks. If we do enact this particular bill now before the House, we are losing the effect of the original act, and for that reason I am asking the membership of this House to vote for these amendments.

Mr. LOVETT. Mr. Speaker—

The SPEAKER. The Chair recognizes the gentleman from Westmoreland.

Mr. LOVETT. Mr. Speaker, I yield to the gentleman from Philadelphia.

Mr. MODELL. Mr. Speaker, through a misunderstanding I asked the membership of this House to vote for these amendments. I should not have made that request, inasmuch as these amendments were not agreed to. I would like just to say a few more words in reference to this bill.

PARLIAMENTARY INQUIRY

Mr. WALTER E. ROSE. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Cambria will state his question of parliamentary inquiry.

Mr. WALTER E. ROSE. Is the gentleman from Philadelphia, Mr. Modell, debating the amendments that he offered to the bill, Mr. Speaker?

The SPEAKER. The gentleman has stated he was in error as to the amendments, and has asked permission to debate the bill.

Mr. WALTER E. ROSE. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia will proceed.

Mr. MODELL. Mr. Speaker, as I stated before, this second amendment in this particular bill before the House is to subsection (e), section 9 of the State Labor Relations Act. This amendment would allow four more weeks of delay before the State Board would get busy on charges of unfair labor practices, and thereby delay preparations for collective bargaining. By this amendment the board's hands would be tied for a month longer. This is, of course, exactly contrary to the idea of speeding up action, which is the principal reason given for the first amendments to House Bill 120. To delay action means to defeat the public policy of the State Labor Relations Act. House Bill 120 permits any person entitled to file a petition or charge to stop enforcement of the act by stating that he is attempting to mediate or arbitrate in a labor dispute.

It can be taken for granted that only delay would result from this amendment, because the service to be rendered by the Board is made clear by the opening sentence of subsection (e), wherein they state,

"Petitions filed under this act shall be heard expeditiously, and if possible within ten days after they have been docketed."

Instead of getting immediate action to effectuate the public purpose of this original act, the amendment permits a delay of ten weeks altogether. The amendment would stretch the desirable ten days into a very undesirable ten weeks. This amendment, gentleman, would be a step backwards. This amendment purposed by House Bill 120 is in line with the damage already done by the 1939 session of the Legislature, with undesirable amendments to the State Labor Relations Act. It makes the State act altogether different from the present National Labor Relations Act and its policy. That policy is against certain employers, especially labor-hating corporations using their tremendous economic control over the workers by compelling them to accept company-dominated unions and yellow dog contracts. It would prevent them from choosing their own representatives in the American and democratic way to meet with these employers to bargain collectively and agree on terms of work agreeable alike to employers and their employes.

The 1939 amendments changed this policy of the State Labor Relations Act so that today the public fears that the act cannot accomplish its intended purpose to substitute industrial peace for that old time industrial warfare which was a dark blot on the good name of our Commonwealth. All of us should be glad to know that Pennsylvania cannot be so condemned to fear and the Dark Ages, because only a small proportion of the industrial workers are now engaged in intra-state occupations; the greater proportion of them are engaged in interstate commerce occupations and are therefore under the provisions of the National Labor Relations Act.

The 1939 amendments to the State Act do handicap a small per cent of the employes and also they handicap the fair-minded employers. These fair-minded employers who recognize that honest collective bargaining is the best labor practice are handicapped by those who would impose onerous wages, hours, and working conditions on their employes. The remedy for this deplorable situation is to defeat the amendments proposed by House Bill 120 and then take out of the Act all those pernicious amendments which were adopted in 1939, which make the State Act so much less effective than the National Relation Act.

For that reason, Mr. Speaker, I ask the members of this House to vote down House Bill 120.

Mr. HEWITT. Mr. Speaker, I hate to introduce a bill in the House and not know all about the bill when I am taken on the carpet as I have been by Mr. Modell. This is a lawyer's bill and there are a lot of technical questions in it that are very hard for me to explain. I do know this, that the bill was introduced by me in good faith, feeling that a four weeks' extension would be the best solution of the difficulty at the end of the six weeks' program, where the employes and the employer who were in negotiations were just about to have the thing settled at the end of six weeks. If you had to stop at the end of the six weeks period it might knock out the purpose of the bill, and these four weeks were put in there as four weeks more time to negotiate. Mr. Modell of Philadelphia thinks that the four weeks were put in there for delay and that if they cannot agree in six weeks they never can in ten weeks. I feel different about the bill, and I will ask my colleagues and all the members of the House to support it.

Mr. LOVETT. Mr. Speaker, this bill that we now have before us has been designated as an attorney's amendment. The sponsor of the bill has said that, and the gentleman who spoke before me on this side of the House as much as said the same. Now, I want in my humble way if I can, to give you the version of the men who possibly don't look at this thing from the attorney's angle, and are a little closer to the labor question. We have talked about employers in this state who criticized newspapers who flash across their pages that there is a strike here or there under the present set-up, under the Labor Relations Act. I say to you that the employers themselves criticized that action of those newspapers who flash those headlines on the pages of their papers, and will say that they have no labor trouble under the present Labor Relations Act.

I think in all fairness to labor and the work that they are doing for the war effort, we should not enact legislation that would prolong the time in which these disputes may arise over the wishes of the employer. My friends, I want to say to you and to the men on the other side of the House, because I know that the men on this side of the House will vote against this bill, but I say to you men on the other side who believe in labor, who go out and campaign in the interest of a fair deal for the laboring class, that in enacting legislation of this kind you are not acting for the laboring people of Pennsylvania and giving them a square deal in this type of legislation. I ask the members of this House to defeat the bill before the House.

Mr. HEWITT. Mr. Speaker, this bill is on third reading and has been on the calendar for a number of weeks, and no man from the minority party and no labor organization, individually or collectively ever has come to me and said a word about this bill. All at once it springs up as a labor proposition, and it is quite a surprise to me after all these weeks when nobody has said one word to me about its affecting labor.

Mr. LEONARD. Mr. Speaker, being a member of the Labor Committee and attending this committee's sessions when this bill was under consideration, the sponsor of the bill brought an attorney before the committee to explain the bill, which was very nice and a very fine thing, and one that I appreciated very much. The explanation, of course, was from the standpoint of the bar, a lawyer's explanation in the interests of the employer insofar as I could judge from his statements. There was, of course, no statement made from the standpoint of those who would be affected by this change.

I have had considerable experience in negotiating agreements for the last forty years. Sometimes we are in there four or five weeks. My experience is that the longer it takes for us to settle a grievance or negotiate an agreement the more restless the workers who are directly affected become, and as you are all familiar, the newspapers carry regularly, and never miss on the so-called wild cat strike, particularly if it happens to be in a war plant, it is played up to get public opinion against what the working people in this country are trying to do in their interest and in the interest of their families.

Now then, we negotiate an agreement for four or five weeks; neither side is able to agree. As the law provides either side or both can go to the Labor Board and the Labor Board has six weeks to work to get the matter adjusted. This bill permits the Labor Board to prolong it four weeks more. Is that going to help satisfy the worker who is the one that is especially affected? What can the employer lose by a quick settlement? The fact that he wants to delay settlement is the fact that he is not quite ready to make a settlement, he wants to linger on.

We are opposed to this bill because we know by experience that a quick settlement brings about an understanding, and one satisfactory to those for whom you are making an agreement.

On that stand, Mr. Speaker, I am asking the members of the House on both sides to consider it from that viewpoint and not look at it from the standpoint of a bill being introduced by the majority of this House. You are dealing with the conditions that surround the people that make up the state of Pennsylvania, the people that make it possible for you and for me to be sitting here this evening, the people that make prosperity for the State of Pennsylvania, and their families. I think that that comes before anything else we might have in mind, and so I am asking you all here to vote this bill down.

Mr. HEWITT. Mr. Speaker, I believe it is due me to say a word. Just another short statement in connection with this bill. There is a C. I. O. convention in the city, and many of the delegates are in this House, and Mr. Leonard is leaving the impression that I am against labor and doing something detrimental to labor. That is not the truth. I have never done that in my life. It is a good time to tell about this subject when the C. I. O. delegates are in town, but I want to tell you that my record here in four terms and four special sessions shows that I never did anything detrimental to labor.

Mr. MORAN. Mr. Speaker, very briefly I want to say that as a member of the ranks of labor and from one of the largest unions in the state of Pennsylvania, representing more than twenty-one thousand members, and coming from a district representing more than fifty thousand Members, I wish to tell the Members of this House that we are absolutely opposed to this bill, and I ask you to vote it down.

Mr. DIX. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland, Mr. Lovett.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. LOVETT. I will Mr. Speaker.

Mr. DIX. Mr. Speaker did I understand the gentleman to say that employers objected to having newspapers spread the news of a strike in their papers?

Mr. DIX. Mr. Speaker, does the gentleman object to having published news of that type in the newspapers?

Mr. LOVETT. Unless they give a full account of the circumstances and explain the conditions on both sides, Mr. Speaker.

Mr. DIX. Mr. Speaker, evidently the gentleman from Westmoreland believes in suppression of the news

Mr. LOVETT. I didn't get that, Mr. Speaker.

Mr. DIX. I say, Mr. Speaker, evidently the gentleman believes in suppression of the news unless it is put in to fit his particular viewpoint.

Mr. LOVETT. Mr. Speaker, I am just the opposite to that; I believe in giving all the news.

Mr. DIX. Mr. Speaker, the gentleman differentiates between news and editorials, does he not?

Mr. LOVETT. Mr. Speaker, we are talking about news, not editorials.

Mr. DIX. Mr. Speaker, does the gentleman realize that it is not within the province of the reporter to express opinions in the news items, therefore they could not take sides in the matter.

Mr. LOVETT. Mr. Speaker, I am not so familiar with the editor's position or what his employer demands of him or anything of that kind.

Mr. DIX Mr. Speaker, I have observed not only in this session of the legislature but the two previous sessions of the legislature the members of the Democratic party are quite willing to castigate the newspapers, stating that they are not fair.

POINT OF ORDER

Mr. SARRAF. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. SARRAF. Mr. Speaker, I do not believe the gentleman is speaking on the bill.

The SPEAKER. The point of order is well taken. The Chair is of the opinion that the interrogation is becoming somewhat rambling. The gentleman will confine his interrogation to the bill.

Mr. DIX. Mr. Speaker, is it not true that the gentleman from Westmoreland Mr. Lovett, charged that the newspapers published unfair stories in regard to strikes? I simply wanted to tell the gentleman that I feel that they have a perfect right to print stories of strikes without being criticized here in the Hall of the House continuously.

Mr. LOVETT. Mr. Speaker, is that an interrogation or a speech?

Mr. DIX. It is a statement, Mr. Speaker.

The SPEAKER. Does the gentleman wish to interrogate the gentleman further?

Mr. DIX. If the gentleman from Westmoreland states that the newspapers are unfair in their news, Mr. Speaker, I certainly am of the opinion that the members of the Democratic party are very unfair to the newspapers of Pennsylvania.

Mr. LOVETT. Mr. Speaker, in answer to the gentleman's interrogation I might say that I did not say that the newspapers were unfair. I said that the outstanding corporations of the state of Pennsylvania were not in sympathy with newspapers who flashed across the headlines of their papers that there was a strike in progress, when it was only a matter of settling some little thing or grievance along the line in order to get to the point of arbitration. I think that I made myself perfectly clear on that subject, and I want to say while Mr. Hewitt did not accuse me of leaving the impression that he was opposed to labor, he did say that Mr. Leonard left that impression.

I want to say to the Members of this House that as far as Mr. Hewitt or any other Member of this House on the other side is concerned, that is not true. I only say to you men on the other side of the House, as a labor man and a man who is pretty close to the conditions of the working man, and has been close to them, that I feel that this type of legislation is unfair, that it will only prolong and cause more of these newspaper flashes, and will not help the outstanding manufacturing industries of Pennsylvania, but will only bring against labor a public opinion which is very unfair, and I ask you to vote down this bill.

Mr. LEONARD. Mr. Speaker, the gentleman from Indiana, Mr. Hewitt made an accusation here that I resent. I thought I qualified in my remarks when I previously spoke to the assemblage, that Mr. Hewitt was good enough to bring an attorney before the committee to explain the intent and purpose of that bill, and I want Mr. Hewitt to know that it was the farthest thing from my mind to say anything in this House that would in any way blemish his intention in introducing this bill. I want that strictly understood.

Mr. PETROSKY. Mr. Speaker, certainly I feel that the action of the minority is consistent in opposing this measure that is before us at the present time. I feel that we are consistent inasmuch as not only in governmental circles, but throughout the state in the relationship between employer and employe groups, labor has been given the assurance that during the present crisis that there will be a hands off policy in all such matters as affect labor. Certainly this piece of legislation is restrictive legislation against the red blooded group in the state of Pennsylvania who gave up many of their social gains toward the primary point of interest of the people, that of winning the war. Everybody here will readily acknowledge that they have given up many hard-fought gains in order to further the program which is before us at the present time. Primarily we today are interested in winning this war, and certainly no restrictive legislation should hinder certain groups in our state, who have been so good as to give freely of what they have possessed toward this goal.

I want to say in answer to the gentleman from Indiana, Mr. Hewitt, that certainly no one on this side of the House was suspecting such a motive, as it was in direct opposition to the promise given by the administration to labor in Pennsylvania during this present crisis.

I want to say in regard to the newspaper stand taken by Mr. Dix, regarding the strike issue and different grievances that appear on the labor front regarding employer and employee, I certainly would like to see each and every newspaper in the state of Pennsylvania take up labors' side of the grievance as well as that of the employer, so that the public could really formulate its own opinion regarding such actions as are taking place in each individual community that they may appear in. I want to say that we here in a minority at the same time, while we give assurance that we are willing and anxious to cooperate to the fullest extent within our power to every move that has for its object the winning of the war, the maintenance of the morale, in industrial and agricultural work in Pennsylvania and the preservation of peace, certainly we cannot go along with a measure which is a hindrance to labor in its position in the present emergency, inasmuch as they have gone four square with the employer and with the governmental agencies in giving their full efforts on the front line of production here at home toward the winning of this war at the earliest possible date.

Mr. HEWITT. Mr. Speaker, you have been very patient with us, and I am speaking for the third time on this bill, and that is really asking too much. But, Mr. Speaker it is surprising to me that there was no debate on this bill on second reading, no person came to me in this House from either side and said a word to me about this bill, but now on third reading all of a sudden a bunch of fellows jump up and make the claim that this is a bad piece of legislation for labor. This bill is not one-sided; it may be on the side of the people or on the side of the employer, and it works both ways. In the Brotherhood of Railway Trainmen they have six months for deliberations on matters of this kind. I ask all the Members of this House on both sides to vote for this bill.

Mr. MORAN. Mr. Speaker, there may be bills before the House for several weeks, and we do not pay much attention to those bills until they get on the Calendar. After they are on the Calendar everybody scrutinizes them to find out just what they are all about. Sometimes a lot of people connected with labor do not have a chance to study those bills as they advance on three legislative days nor do the people at the far end of the state of Pennsylvania have a chance to study those bills.

A lot of the C. I. O. members and several other members of labor have been in Harrisburg here, and they find that this bill is not favorable to labor. They only found that out after it is on third reading, and we have been contacted and asked to fight against this bill.

I ask the Members of this House whether they be Democrats or Republicans, this is a non partisan bill, it affects labor. I am asking the Members of the House to vote against it.

Mr. COHEN. Mr. Speaker, just so that the record will be straight, when this bill first came on the Calendar, I think about two and a half weeks ago, I requested the sponsor of the bill to hold the bill on second reading because there were some questions I wanted to raise, some matters we wanted to strike out for persons who came to me objecting to the bill. I did not object to the bill when it passed on second reading, and that was all right. I believe the bill was even held on third reading at my request so that proper research might be made and amendments drawn. That study was represented in the amendments we sought to offer tonight and which were not considered, which culminated in the debate on the bill by the gentleman from Philadelphia, Mr. Modell.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—86

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Cadwalader,
Campbell,
Cook,
Costa,
Coulson,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Figlock,
Flack,
Foor,
Fox,
Garber,
Gillan,
Gorman,
Greenwood,
Gyger,
Hall,
Hare,
Helm,
Hewitt,
Hocke,
Hoffman,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Krise,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
Menna,
Miller,
Mintess,
Moore,
Muir,
Murray,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Tiemann,
Trout,
Van Allsburg,
Walton,
Winner,
Wood, N.,
Yeakel,
Fiss,
Speaker.

NAYS—94

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Bradley,
Brice,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Calvin,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cooper,
Cordier,
Corrigan,
Croop,
Cullen,
Dalrymple,
Dillon,
Duffy,
Elliott,
Ewing,
Fleming,
Freed,
Fullerton,
Gates,
Green,
Gross,
Haberlen,
Hamilton,
Haudenshield,
Heatherington,
Herman,
Hersch,
Hoggard,
Holmes,
Hunter, B. F.,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
McSurdy,
Mock,
Modell,
Mooney,
Moran,
Munley,
Nowak,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Regan,
Reynolds,
Rowley,
Sarraf,
Scanlon,
Schuster,
Skale,
Smith,
Snider,
Stank,
Swope,
Thompson,
Thrasher,
Trent,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Watkins,
Weiss,
Welsh,
Worley,
Wright,
Yester,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 832, entitled:

An Act to amend sections four and seven of to further amend sections one six and nine of and to add sections eleven twelve and thirteen to the act approved the twentieth day of May one thousand nine hundred and thirty-seven P. L. 728) entitled "An act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth providing for and regulating the procedure in prosecuting claims before such board defining the powers of the board and fixing the compensation of members and employes thereof providing that the awards of such board shall be final providing for the payment of awards and authorizing an appropriation" by providing for the payment of fees and expenses of the members of said board not properly chargeable as costs of proceedings before it and further defining the jurisdiction of said board

On the question,
Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government for the purpose of further study and possible amendment.

The motion was agreed to.

BILL PASSED OVER

There being no objection House Bill No. 575, Printer's No. 326, was passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 67, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" establishing the method of appointing promoting reducing in rank suspension furloughing discharging and reinstating members of the police force of counties of the second class creating and defining the powers and duties of a civil service commission imposing certain duties and expenses on such counties and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

Messrs. COOPER and EWING. Mr. Speaker we ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 330.1), page 2, lines 9 to 16, both inclusive, by striking out all of said lines and inserting in lieu thereof: "Section 330.1. No member of the police force of counties of the second class shall be appointed, promoted, reduced in rank, suspended, furloughed, discharged, or reinstated, except in accordance with the following provisions: Provided, however, That all appointments to, and promotions in, the police force in said counties which shall be made during the period beginning December seventh, one thousand nine hundred forty-one, and ending six months after cessation of hostilities of the war in which the United States is now engaged shall be provisional for and during such period."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1003, as follows:

An Act authorizing and directing the Department of Highways to erect and maintain as a post war construction project a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum Allegheny County and a point in Westmoreland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridge and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Highways is hereby authorized and directed to erect and construct a toll bridge over the Allegheny River from a convenient point in or near the Borough of Tarentum in Allegheny County to a point on the opposite side of said river in the County of Westmoreland to connect the State highways on both sides of said river and to acquire the necessary land for approaches thereto

In the construction of said bridge and the approaches thereto and connections with existing State highways the Department of Highways shall have all of the powers and authority conferred with respect to the relocation widening or construction of State highways including the exercise of the power of eminent domain Any damages sustained by reason of taking property in the relocation widening or construction of any such bridge the approaches thereto and connections with State highways shall be ascertained in accordance with laws applicable to the ascertainment of damages in relocating widening or constructing State highways and such damages when ascertained shall be paid by the Commonwealth or county or counties as may be agreed upon in accordance with the laws relating to State highways

Section 2 The Department of Highways is hereby authorized to accept grants of funds from any Federal agency for the construction of such bridge and the approaches thereto and connections with State highways Any such moneys shall be held by the State Treasurer as custodian for the Department of Highways and the same shall be paid out on requisition of the department without further appropriation

Section 3 If such bridge is to be constructed under contract and to be paid for wholly or in part from Federal funds and the project involves additional work to be contracted and paid for by a county or counties the advertisement by the Department of Highways shall be the only advertising necessary any other acts or requirements to the contrary notwithstanding

Section 4 The Department of Highways shall have authority to make and carry out contracts and to do every other act necessary to carry out the project herein authorized and is authorized to conform to the requirements and rules and regulations of the proper Federal authorities with respect to such projects if Federal moneys are advanced for such project Nothing herein contained shall in anywise diminish any authority or powers now or hereafter conferred on the Department of Highways by any other act of Assembly

Section 5 The construction of the bridge for which funds as appropriated by this act shall be included among the various public works projects to be undertaken by the Commonwealth after the termination of the present war as a means of facilitating the transition from a war to a peace economy

Section 6 The Department of Highways shall after the completion of such bridge provide for the collection of tolls on such bridge until such tolls have been sufficient to reimburse in full the Commonwealth the Federal Government or any Federal agency which advanced moneys and any moneys paid by counties Such tolls shall also be sufficient to pay for the maintenance of the bridge its approaches and connecting highways during the period when tolls are collected and to pay the compensation of all persons employed on or in connection with such bridge As soon as the Commonwealth the Federal Government all Federal agencies and all counties that advanced any moneys have been reimbursed in full the bridge and its approaches and connecting highways shall be maintained by the Department of Highways free of tolls for the use of the public

Section 7 So much of the moneys in the Motor License Fund as is necessary for the preparation of plans for the construction of said bridge and approaches thereto and connections with State highways and for the payment of damages for property taken or destroyed is hereby appropriated to the Department of Highways for said purposes

On the question,

Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. PETROSKY. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Leydic.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. LEYDIC. I shall, Mr. Speaker.

Mr. PETROSKY. Mr. Speaker, I desire to know of the gentleman from Allegheny, Mr. Leydic, whether or not in his opinion it will necessary for the Department of Highways to get the approval of the county commissioners of Allegheny county and Westmoreland county before being able to construct the said bridge.

Mr. LEYDIC. Mr. Speaker, I feel that the bill is properly drawn, is correct, and that if it need be that the Secretary of Highways get into communication with the commissioners of Allegheny and Westmoreland counties, he will do so.

Mr. PETROSKY. Does the gentleman then feel that the provisions of the bill are adequate and sufficient to take care of the different elements in completing the contracts regarding the property damages and so forth in regard to building bridges and highways on the county basis?

Mr. LEYDIC. Will the gentleman please repeat his question?

Mr. PETROSKY. Mr. Speaker, does the gentleman consider the bill as drawn sufficient and adequate to take care of the different elements that enter into the construction of highways or bridges in regard to property damages?

Mr. LEYDIC. I do, Mr. Speaker.

Mr. PETROSKY. I thank the gentleman.
On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—191

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B F.,
Hunter, W. M
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS 5

Haberlen,
Lovett,
Maxwell,
Petrosky,
Weiss,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE

Mr. READINGER. Mr. Speaker, I move that the vote by which House Bill No. 610, Printer's No. 215, entitled:

> "An Act to amend section four of the act of one thousand seven hundred five (1 Smith's Laws 25) entitled 'An act to restrain people from labor on the first day of the week' by authorizing the service or execution on Sunday of certain warrants and other instruments in cases of misdemeanors involving gambling,"

was defeated on final passage in the House on Monday, April 5, 1943, be reconsidered.

Mr. BARRETT. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Berks, Mr. Readinger, vote on the final passage of this bill?

Mr. READINGER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Barrett, vote on the final passage of this bill?

Mr. BARRETT. Mr. Speaker, I voted in the majority.
On the question,
Will the House agree to the motion?

The SPEAKER declared the ayes appeared to have it,
Whereupon, a division was called for, seventy-one members having voted in the affirmative and forty-seven in the negative, the question was determined in the affirmative and the motion was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED

Mr. READINGER. Mr. Speaker, I move that this bill be placed on the postponed calendar.
The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 368 as follows:

An Act providing that in the post-war period owners of buildings in counties of the second class may improve enlarge remodel repair or replace the same with no increase of assessed valuation for tax purposes for a certain period of time and authorizing in certain cases the said counties and the political subdivisions therein to convey free of cost land to individuals for building purposes

On the question,

Will the House agree to the bill on third reading?

Mr. HANNON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, lines 5 to 8 of title, by striking out the words "and authorizing in certain cases the" in line 5, all of lines 6 to 8, both inclusive.

Amend Section 4, page 3. lines 4 to 29, both inclusive, by striking out all of said lines.

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection?

Mr. BROWN. Mr. Speaker, is it permissible at this time to raise a constitutional point of order on this bill?

The SPEAKER. The bill is before the House. The Chair would also inform the gentleman that the amendments are before the House. The question is will the House give its unanimous consent to the consideration of the amendments.

Mr. BROWN. Mr. Speaker, I object because I desire to raise the constitutional point of order on the bill, and as I understand it, if consent is given to the insertion of the amendments the bill will then be held over for final passage and I will not then be able to raise the constitutional point of order until the final passage of the bill. Am I correct in that?

The SPEAKER. The Chair would inform the gentleman from Allegheny, that a constitutional point of order can be raised when the bill is on final passage.

Mr. BROWN. Mr. Speaker, I object to the amendments.

The SPEAKER. The Chair hears objection, and consent is not granted.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. FLEMING. Mr. Speaker—

The SPEAKER. The gentleman from Allegheny, Mr. Brown, has the floor. Will the gentleman from Allegheny, Mr. Brown, yield to the gentleman from Allegheny, Mr. Fleming?

Mr. BROWN. I will, Mr. Speaker.

BILL POSTPONED

Mr. FLEMING. Mr. Speaker, I move that House Bill 368, Printer's No. 313, be placed on the third reading postponed calendar.

On the question,

Will the House agree to the motion?

Mr. BROWN. Mr. Speaker, I believe the gentleman's motion is in good faith. I have talked with the sponsor of this bill for several weeks and I have also talked with the gentleman from Allegheny, Mr. Fleming, who makes this motion, but this is a bill that is so palpably unconstitutional that we ought to save the expense to the State in placing it on the postponed calendar. The gentleman from Allegheny, Mr. Hannon, has tried to amend this bill. He has taken out one page, now he attempts to take out another page, and there is very little left of the bill, but that which is left is just as objectionable as that which was in it before.

I would like to interrogate the gentleman from Allegheny, Mr. Hannon.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. HANNON. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, the amendments that the gentleman from Allegheny, Mr. Hannon, gave me a few minutes ago delete section 4 on page 3 of the bill, is that correct?

Mr. HANNON. That is correct.

Mr. BROWN. So that if those amendments would prevail we would have section 2 and section 3?

Mr. HANNON. That is correct. Mr. Speaker.

POINT OF ORDER

Mr. FLEMING. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. FLEMING. I rise to the point of order, Mr. Speaker, that there is a motion on the floor of the House, made by myself to place the bill on the third reading postponed calendar, and Mr. Brown is not talking on the motion to place on the postponed calendar.

Mr. BROWN. Mr. Speaker, I objected to that motion, which is a motion that must have unanimous consent.

The SPEAKER. The Chair would inform the gentleman from Allegheny that the amendments require unanimous consent. The question now before the House is on the motion to postpone the bill. The Chair is of the opinion that this interrogation, if it does not wander too far afield, will be in order. The gentleman will proceed.

Mr. BROWN. Mr. Speaker, may I under the motion before the House interrogate the gentleman on sections 2 and 3 of the bill?

The SPEAKER. That will require unanimous consent. The bill is not before the House now, the question is on the motion to postpone.

Mr. BROWN. I would not trespass upon the ruling of the Chair, Mr. Speaker. I would then ask permission to interrogate the gentleman from Allegheny, Mr. Fleming.

The SPEAKER. Will the gentleman from Allegheny, Mr. Fleming, permit himself to be interrogated?

Mr. FLEMING. On the motion to postpone, yes, Mr. Speaker.

Mr. BROWN. May I ask the gentleman for what purpose he makes his motion?

Mr. FLEMING. Mr. Speaker, for the same purpose as the gentleman has just said, to conserve the time of the House so that we may, if there are any difficulties with regard to this bill on the question of constitutionality, be able to settle them before it is brought up from the postponed calendar at a later date

I believe, Mr. Speaker, that the gentleman from Allegheny, Mr. Brown, is an authority on constitutional law, but I wish to assure him, that we have consulted people who likewise are authorities on constitutional law, and they are of the opinion that the amendments offered by the gentleman from Allegheny, Mr. Hannon, would pass the test of constitutionality, and it was only with the thought of clearing those questions up more quickly that I moved to send the bill back to committee.

Mr. BROWN. Mr. Speaker, I accept the explanation of the gentleman and I would not prolong the debate because I feel no valid purpose can be served. I feel that the gentleman from Allegheny, Mr. Hannon, has done all that he can do, and to save the time of the House I will withdraw any objection at this time.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. ROOT.

The House resumed the consideration on third reading of House Bill No. 558, entitled:

An Act to further amend section two to add Sections 2.1 2.2 2.3 and 2.4 to and to amend Section 5 of the act approved the twenty-ninth day of March one thousand eight hundred ninety-nine (P. L. 21) entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" by changing qualifications as to education and fitness necessary before taking examination further regulating the business or practice of certified public accountants prohibiting such practice by corporations and by individuals copartnerships or associations under any name other than that of the person or persons so practicing and fixing penalties

On the question,

Will the House agree to the bill on third reading?

Messrs. ROOT and SKALE. Mr. Speaker, we ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 10, by striking out the words "business or"

Amend title, page 1, line 11, by striking out the words "certified public accountants" and inserting in lieu thereof: "accountancy"

Amend Sec. 2 (Sec. 2.1), page 4, line 13, by inserting after the word "accountant" the following: "or public accountant or as an auditor or accountant"

Amend Sec. 2 (Sec. 2.1), page 4, line 16, by striking out the word "business or"

Amend Sec. 2 (Sec. 2.1), page 4, lines 21 and 22, by striking out the words "holding certificates as provided by this act and"

Amend Sec. 2 (Sec. 2.2), page 4, line 29, by striking out the words "when such employes are certified public"

Amend Sec. 2 (Sec. 2.2), page 5, line 1, by striking out the word "accountants"

Amend Sec. 2 (Sec. 2.3), page 5, line 6, by inserting after the word "accountant" the following: "or public accountant or as an auditor or accountant"

Amend Sec. 2 (Sec. 2.4), page 5, line 11, by inserting after the word "accountant" the following: "or public accountant or as an auditor or accountant"

Amend Section 2. Page 4. Line 1 by striking out the word "five" and inserting in lieu thereof the following: "three"

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection?

Mr. STONIER. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection, and consent is not granted.

On the question recurring,

Will the House agree to the bill on third reading?

MOTION TO RECONSIDER VOTE

Mr. ROOT. Mr. Speaker, I move that the vote by which this bill was ordered to be transcribed for third reading be reconsidered.

The SPEAKER. The Chair cannot entertain that motion, because under the rules of the House the time limit has expired. The question before the House is, will the House agree to the bill on third reading?

Mr. ROOT. Mr. Speaker, I ask unanimous consent of the House to make a statement.

The SPEAKER. If the gentleman wishes to discuss the bill on third reading he may do so. The Chair recognizes the gentleman for that purpose.

Mr. ROOT. Mr. Speaker, may I state to the Members of the House that insofar as the sponsor of the bill and myself are concerned, we were satisfied with this bill as it was printed, Printer's No. 199. It has been on the calendar for several weeks, but in order to avoid any possible disagreements or disputes, we tried to please every objection. The purpose of these amendments that were offered tonight was to please those men who have asked the sponsor to consider their thoughts. Now, the gentleman from Lackawanna will not give consent to consider the amendment.

BILL POSTPONED

Mr. ROOT. Mr. Speaker, I move that this bill be placed on the third reading postponed calendar.

On the question,

Will the House agree to the motion?

The SPEAKER declared the noes appeared to have it.

Whereupon, a division was called for, one hundred five Members having voted in the affirmative and two in the negative, the question was determined in the affirmative and the motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 836, as follows:

An Act to amend the title and sections four six seven and eight of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. six) entitled "An act relating to national and State defense providing for the establishment of a State Council of Defense and of local and district councils of defense prescribing the powers and duties thereof and making an appropriation therefor" by conferring certain powers and duties upon the State Council of Defense local and district councils of defense eliminating certain provisions no longer in effect and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the title of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 6) entitled "An act relating to national and State defense providing for the establishment of a State Council of Defense and of local and district councils of defense prescribing the powers and duties thereof and making an appropriation therefor" is hereby amended to read as follows

An Act relating to national and State defense providing for the establishment of a State Council of Defense and of local and district councils of defense prescribing the powers and duties thereof and [making an appropriation therefor] providing penalties

Section 2 Section four of said act is hereby amended to read as follows

Section 4 Powers and Duties The council shall have the following powers and duties

[(a) To adopt amend and repeal rules regulations and by-laws governing its procedure and activities

(b) To cooperate with the Advisory Committee to the Council of National Defense through its Division of State and Local Cooperation or with any similar Federal agencies hereafter created and with any departments or other Federal agencies engaged in defense activities

(c) To cooperate with similar councils of defense in other states

(d) To cooperate with local defense councils

(e) To supervise and direct investigations and report to the Governor with recommendations for legislation or other appropriate action as it may deem necessary with respect to the following matters in so far as they are or may be related to defense

(1) Industrial materials and facilities

(2) Production and manufacturing facilities

(3) Agriculture food supply and land use

(4) Transportation facilities

(5) Labor supply and training labor relations and human resources professions trades and skills

(6) Consumers and consumer protection

(7) Housing and related facilities

(8) Health hospitals and sanitation facilities

(9) Welfare

(10) Educational facilities

(11) Recreational areas and facilities

(12) Finance

(13) Civil liberties including but without limiting the protection thereof maintenance of law and order and measures to guard against sabotage and subversive activities

(14) Civil defense including police mobilization coordination for fire protection and disaster relief

(15) Any other type of activity directly or indirectly related to defense

(f) To create committees either within or without its membership to aid it in the discharge of its powers and duties

(g) To require and direct the cooperation and assistance of State and local governmental agencies and officials

(h) To make full investigations as to all questions directly or indirectly relating to the powers or duties vested in it by this act or by any other law

(i) To do all acts and things not inconsistent with law for the furtherance of defense activities]

(1) To undertake supervise or direct the making of studies and surveys of all activities matters and things which are or may be related to the war effort but not limited to The nature extent location and availability for use within the State of industrial materials and facilities production and manufacturing facilities transportation facilities agriculture food and water supply and land use labor supply and training labor relations and human resources professions trades and skills housing and related facilities hospitals clinics and other health and sanitation facilities educational facilities recreational areas and facilities consumers and consumer protection welfare finance mobilization and coordination of the police firefighting health medical and welfare forces of the State for the protection of the people against air raid shelling or other enemy action fire flood famine violence riot insurrection disaster the protection of civil liberties and maintenance of law and order and any and all other subjects and matters deemed by the council to be relevant or germane to the war effort

(2) To adopt promulgate and make effective plans rules and orders with respect to any matters directly or indirectly related to the war effort

(3) To adopt promulgate and make effective plans rules and orders not inconsistent with rules or orders of the United States army and navy or of the Federal office of civilian defense with respect to civilian protection

(4) To cooperate with agencies established by or pursuant to laws of the United States and of the several states to promote civilian protection and the war effort and to cooperate with and coordinate the work and activities of all local councils of the State and of all other agencies having substantially similar objects and purposes

(5) To create or designate agencies of the council to aid and assist under this act and to grant authority to such agencies as may be deemed necessary for the effective accomplishment of any of its functions powers and duties

(6) To adopt promulgate and enforce rules and orders not inconsistent with rules or orders of the United States army or navy or of the Federal office of civilian defense in connection with the guarding and protection of water supply railroads public utility property bridges docks highways airports public buildings factories plant vital and strategic materials and other focal points of attack the loss or destruction of which might menace or endanger the security and safety of the civilian population impede the military forces or impede the war effort

(7) To adopt promulgate and enforce rules and orders not inconsistent with rules or orders of the United States army or navy or of the Federal office of civilian defense with respect to the organization recruiting training maintenance and operation of aircraft warning services observation and listening posts information and control centers and such other services and facilities as may be necessary for the prompt reception and transmission of air raid warnings and signals

(8) To prescribe and direct activities to the extent related to the war effort in connection with the following Salvage and prevention of waste of strategic materials conservation of transportation facilities training and supply of labor utilization of individual plants health and medical care nutrition housing including the use of existing public and private facilities rehabilitation education welfare child care recreation for industrial workers and members of the armed forces promotion of the rationing and price control programs sale of war bonds and stamps and other civilian programs in furtherance of the war effort

(9) To create committees either within or without its membership to aid it in the discharge of its powers and duties

(10) To adopt amend repeal and enforce such other rules and orders as the council may deem advisable in order to carry out the provisions of this act

Section 3 Section six of the said act is hereby amended to read as follows

Section 6 Local Councils of Defense Each political subdivision of the Commonwealth may establish a local council of defense by the proclamation of the executive officers or governing body thereof Local councils of defense if and when established shall cooperate with and assist the council and shall perform such services as may be requested by its Local councils may act jointly with other such councils In so far as applicable local councils shall have the same power and duties within their respective jurisdictions as are vested in the council Such local councils shall terminate or cease activity whenever the council is dissolved or suspended

It shall be the duty of every local council of defense to execute and enforce such rules and orders as the State Council of Defense shall adopt and promulgate under the authority of this act Each local council of defense shall have available for inspection at its office all rules and orders adopted by the State Council of Defense

Section 4 Section seven of the said act is hereby amended to read as follows

Section 7 District Councils of Defense In cooperation with local officials the council is authorized to establish district councils of defense in critical areas of the Commonwealth of special importance in defense activities Such district councils shall act as coordinating agencies under the supervision and direction of the council and in cooperation with local governmental agencies

It shall be the duty of every district council of defense to execute and enforce such rules and orders as the State Council of Defense shall adopt and promulgate under the authority of this act Each district council of defense shall have available for inspection at its office all rules and orders adopted by the State Council of Defense

Section 5 Section eight of the said act is hereby amended to read as follows

Section 8 [Authorization for Appropriation The sum of twenty-five thousand ($25,000) dollars or so much thereof as may be necessary is hereby appropriated to the council from the General Fund for the payment of expenses necessary to effectuate the purposes of this act Payments out of such appropriation shall be made by the State Treasurer upon requisition of the chairman of the council and the warrant of the Auditor General] Penalties Any person violating any of the rules and orders adopted and promulgated under section 4 by the State Council of Defense shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding two hundred ($200) dollars or imprisonment not exceeding ninety (90) days or both

Section 6 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LICHTENWALTER. Mr. Speaker, I want to make a brief statement. I sat down with some of the minority Members in the consideration of this bill. There was some objection to one section of the bill, particularly Section 6. After very serious consideration, consulting a number of people, I want to say of record at this time that Section 6 of this bill in no way intends to jeopardize the rights of labor, or in any way curb their rights and privileges enjoyed at present or in the past.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, P A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Costa,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B F.,
Hunter, W M.
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 521, Printer's No. 405, was passed over at the request of Mr. WILLIAM M. HUNTER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 273, as follows:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first paragraph and clauses eleven seventeen and eighteen of section one thousand six of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as last amended by the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 761) and by the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1608) are hereby further amended to read as follows

Section 1006 Duties and Powers of Council [It shall be the duty of the] The borough council a majority of whom shall be a quorum shall have power and unless discretion is vested it shall be its duty

* * * *

XI [To] In its discretion to mitigate or remit fines and forfeitures in reasonable cases

* * * *

XVII [To] In its discretion to employ certified public accountants by a two-thirds vote of the entire number of councilmen elected

* * * *

XVIII To adopt an annual budget [On or before the fifteenth day of January a proposed budget or annual estimate of revenues and expenditures shall be prepared in a manner designated by the council The budget shall be prepared on a uniform form prepared and furnished as hereafter provided

Upon the preparation of the proposed budget the council shall give public notice of the fact that the proposed budget will be available for public inspection at the office of the borough secretary or such other place as may be designated in a public notice After the expiration of fifteen (15) days following the giving of such public notice council shall after making such revisions therein as appear advisable adopt the budget the tax ordinance and the necessary appropriation measures required to put the budget into effect The total amount appropriated shall not exceed the receipts of the borough estimated as available for the fiscal year

In all boroughs the council shall within fifteen (15) days after the adoption of the budget file a copy of the same with the Department of Internal Affairs

The council shall have power to authorize by resolution the transfer of any unencumbered balance of an appropriation or any portion thereof from one purpose to another within the same fund but transfers to cover lawful deficits and surpluses may be made between the general borough fund and special funds Such action shall not be taken during the first three months of the fiscal year

The council may during any fiscal year adopt by resolution supplementary appropriations but any resolution authorizing such supplementary appropriations shall provide for unencumbered receipts sufficient to cover such appropriations

Payments shall not be authorized or made from the treasury except upon appropriation in the budget or supplementary appropriation resolutions The council or other officers shall not hire any work to be done purchase any material make any contract or issue any order for the payment of moneys by any agent of the borough which will cause the sums appropriated to specific purposes to be exceeded] During the month of January a proposed budget or annual estimate of revenues and expenditures shall be prepared in a manner designated by the council The budget shall be prepared on a uniform form prepared and furnished as hereinafter provided

Upon the preparation of the proposed budget the council shall give public notice by one insertion in a newspaper of general circulation in the borough fifteen (15) days prior to the filing of the budget of the fact that the proposed budget will be available for public inspection in the office of the borough secretary or such other place as may be designated in the public notice After the expiration of fifteen (15) days following the giving of such public notice council shall make such revisions therein as appear advisable and thereupon adopt a budget which shall contain the estimated receipts and the appropriations estimated as necessary for the year and may include the necessary operating expenses for the subsequent year until the taxes of the subsequent year are received therefor The council shall then adopt a tax ordinance for submission to the burgess which ordinance may contain appropriation items and such other matters relating to the fiscal affairs of the borough as require the formalities of an ordinance

In all boroughs the council shall within fifteen (15) days after the adoption of the budget file a copy of the same with the Department of Internal Affairs

During any fiscal year the council may make supplementary appropriations or transfer appropriations from one classification to another for any lawful purpose from any funds on hand or estimated to be received including the proceeds of any borrowing theretofore or thereafter authorized by law and in cases of emergency or in palpable cases of error omission or other fortuitous circumstances council may make or ratify expenditures for lawful purposes and thereafter supply or augment the funds necessary therefor Except in the manner and in the cases aforesaid herein provided and except to pay expenditures that have accumulated and were not paid at the close of the previous fiscal year and also for the payment of ordinary operating expenses pending the final adoption of the budget and tax ordinance the council or other officers shall not hire any work to be done purchase any material make any contract or issue any order for the payment of moneys by any agent of the borough which will cause the sums appropriated for specific purposes to be exceeded

Section 2 Article eleven of said act is hereby amended by adding thereto after section one thousand one hundred three a new section to read as follows

Section 1104 Appointment Unless there be incompatibility in fact any elective or appointive officer of the borough shall be eligible to serve on any board commission bureau or other agency created by or for the borough or any borough office created or authorized by statute and may accept appointment thereunder provided no burgess or councilman shall receive compensation therefor Where there is no incompatibility in fact and subject to the foregoing provisions as to compensation appointees of council or appointments made by the burgess with the approval of council or by the corporate authorities or by the corporate officers may hold two or more appointive borough offices but no burgess or member of council may serve as secretary or treasurer and the offices of secretary and treasurer shall not be held by the same person Provided That nothing herein contained shall affect the eligibility of any borough official to hold any public office or receive compensation therefor In all cases in which it is provided that an appointment is to be made by the burgess and council such appointment shall hereafter be made by the burgess with the approval of a majority of the members of council attending the meeting at which the appointment is made unless a different vote is required by statute and all appointments to be made by the council or the corporate officers or corporate authorities shall be made by a majority of the members of council attending the meeting at which the appointbent is made unless a different vote is required by statute

Section 3 The first paragraph of section one thousand two hundred two and the last paragraph of Clause LIII and all of Clause LVIII of said section of said act and Clause LIII as last amended by the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 767) are hereby amended and further amended to read as follows

Section 1202 Specific Powers [The powers of the borough shall be vested in the corporate officers They shall have power] The words "corporate authorities" or "corporate officers" when applied to boroughs shall mean the borough council even though the action undertaken is by ordinance and subject to the approval or veto of the burgess The legislative powers of boroughs including any capital expenditures not payable out of the current funds for the year shall be exercised by or based upon an ordinance and all other powers by vote of the majority of council present at a meeting unless otherwise prescribed Routine ministerial or administrative purchases and powers may be made and exercised by officers or committees if authority therefor is previously given or the action is subsequently ratified by council As thus defined boroughs shall have power

* * * *

LIII Regulation of Contracts

* * * *

It shall not be lawful for any burgess or member of council of any borough or any officer agent or employe thereof to be in any way interested either directly or indirectly in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of or any work to be done for such borough involving the expenditure by the borough of more than [twenty-five dollars ($25) in any one month or more than] three hundred dollars ($300) in any year or to receive any reward or gratuity from any person interested in such contract or sale nor shall any burgess member of council officer agent or employe of any borough be a member of any partnership or a stockholder or officer of any corporation or an agent or employe of any individual partnership or corporation in any way interested in any contract for the sale or furnishing of any supplies or materials to be furnished to or for the use of or any work to be done for such borough involving the expenditure by the borough of more than [twenty-five dollars ($25) in any one month or more than] three hundred dollars ($300) in any year and any person violating these provisions or any of them shall forfeit his office or appointment in such borough and also shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine not exceeding five hundred dollars ($500)

* * * *

LVIII A Contracts with Adjacent Municipalities for Fire Protection To enter into contracts with the proper authorities of near or adjacent cities boroughs or townships either for mutual aid or assistance in police and fire protection or for the furnishing to or receiving from such cities boroughs or townships aid and assistance in police and fire protection and to make appropriations therefor Provided That in connection with such contracts it shall not be necessary to advertise for bids or receive bonds as required for other contracts under existing law

Section 4 Article thirteen of said act is hereby amended by adding thereto after section one thousand three hundred one a new section to read as follows

Section 1301.1 Additional Levy The council of the borough shall have power to levy and collect annually on the valuation assessed for county purposes as now is or may be provided by law an additional tax sufficient to pay interest and sinking fund charges on its indebtedness together with any taxes covenanted to be paid thereon and all property offices professions and persons made taxable by the laws of the Commonwealth for county rates and levies may in the discretion of council be taxed after the same manner for this additional levy Provided That nothing herein contained shall prevent the application of moneys received from taxes levied for general purposes to the purposes of this additional levy

Section 5 Sections two thousand seven hundred three two thousand seven hundred four two thousand seven hundred seven and two thousand seven hundred twenty of said act are hereby amended to read as follows

Section 2703 Limit on Obligations No appropriation purchase or lease shall be made pursuant to the preceding sections whereby any borough shall within any period of three years obligate itself to pay in the aggregate any sum exceeding one and one-half mills on the dollar on the assessed valuation of all property offices professions and persons in the borough upon which county taxes are rated and levied without the consent of a majority of the electors obtained as hereinafter provided Provided however That no such election shall be required in any case where the question of the increase of the indebtedness of the borough for any of the foregoing purposes shall have been submitted to and assented to by a majority of the electors of the borough voting on such question at an election held according to law

Section 2704 Submission to Voters Whenever any borough shall by ordinance provide for the appropriation purchase or leasing of private property for the purposes aforesaid and the value of such property or the rental thereof shall alone or when added to the amount of liability incurred for any of the purposes aforesaid within the preceding three years exceed one and one-half mills on the dollar of valuation as provided in the preceding section and the question of the increase of indebtedness of the borough for any of said purposes has not been submitted to and assented to by a majority of the electors voting on such question at an election held for the purpose of obtaining such assent according to law the council shall cause the question of such appropriation purchase or leasing to be submitted to the electors of the borough at [the municipal or general election next occurring after the expiration of forty days from the date of such ordinance] an election to be held at the places of holding elections in said borough on a day to be fixed by council

Section 2707 Result of Submission to Voters The result of the vote on such question shall be ascertained and certified in the [same] manner [as the vote on the election of officers named on the same ballots] provided by the election laws of this Commonwealth No such question determined negatively by the voters shall be again submitted [until one municipal or general election shall intervene] within fifty-one weeks

Section 2720 Composition of Board If the borough council shall determine that the power to equip operate and maintain playgrounds playfields gymnasiums public baths bathing places swimming pools or recreation centers shall be exercised by a recreation board they may establish in said borough such recreation board which shall possess all the powers and be subject to all the responsibilities of the respective authorities under this article Such board when established shall consist of five persons and when established in a borough having a school board two of the members shall be members of the school board The board shall be appointed by the burgess of such borough and shall serve for terms of five years or until their successors are appointed except that the members of such board first appointed shall be appointed for such terms that the term of one member shall expire annually thereafter Members of such board shall serve without pay Women shall be eligible for appointment Vacancies in such board occuring otherwise than by expiration of term shall be for the unexpired term and shall be filled in the same manner as original appointments

Section 6 All acts and parts of acts inconsistent herewith are hereby repealed

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,

Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Powers,
Reagan,
Readinger,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Winner,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE

Mr. SARRAF. Mr. Speaker, I move that the vote by which Senate Bill No. 174, Printer's No. 174, entitled:

An Act to further amend section one thousand one hundred thirty-three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" making further provision for the creation of the office of district superintendent in districts where such office does not exist

was defeated on final passage on Monday, April 5, be reconsidered.

Mr. WEISS. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Sarraf, vote on the final passage of this bill?

Mr. SARRAF. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Westmoreland, Mr. Weiss, vote on the final passage of this bill?

Mr. WEISS. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

The SPEAKER declared the noes appeared to have it.

Whereupon, a division was called for, seventy Members having voted in the affirmative and sixty-one in the negative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. SARRAF. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 386, as follows:

An Act to further amend clauses six and nine of section one and section three of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" further defining State employes and original members and making further exception to compulsory membership in the system

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause six of section one of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (P. L. 858) entitled "An act establishing a State employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as last amended by the act approved the twenty-fifth day of June one thousand nine hundred and forty-one (P. L. 202) is hereby further amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act unless a different meaning is plainly required by the context shall have the following meanings

* * * * *

6 "State employee" shall mean any person holding a State office or position under the Commonwealth of Pennsylvania employed and paid on a yearly or monthly basis by the State Government of the Commonwealth of Pennsylvania in any capacity whatsoever and shall include also any attorney solicitor investigator appraiser and clerk employed by the year or by the month in the office of any register of wills howsoever appointed whose compensation is actually paid from Commonwealth moneys and shall also include all judges of the several courts of this Commonwealth whose salaries are paid by the Commonwealth and also all clerks and secretaries employed by judges and paid on a yearly or monthly basis by such judges from moneys appropriated by the Commonwealth for such purposes and also all officers and employes of the Pennsylvania State College paid on a yearly or monthly basis other than those paid wholly from Federal funds and also all officers and employes of the Delaware River Joint Commission and of the Delaware River Joint Toll Bridge Commission paid on a yearly or monthly basis if the Delaware River Joint Commission and the Delaware River Joint Toll Bridge Commission shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserves necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes and also but only for the purposes of this act all officers and employes of any separate independent public corporation created by act of Assembly (not including however any municipal or quasi-municipal corporation) who immediately prior to their employment by such public corporation were employes of the Commonwealth so long as they remain officers or employes of such public corporation if such public corporation shall agree to contribute and contributes to the State Employes' Retirement Fund from time to time the moneys required to build up the reserve necessary for the payment of the State annuities of such officers and employes without any liability on the part of the Commonwealth to make appropriations for such purposes But the term "State employe" shall not include

those persons defined as employes in section one paragraph seven of the act approved the eighteenth day of July one thousand nine hundred and seventeen (P. L. 1043) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended by section one paragraph seven of the act approved the twenty-first day of April one thousand nine hundred and twenty-one (P. L. 245) excepting such officers and employes of the Department of Public Instruction as are not members of or who may withdraw from the public school employes' retirement association provided by said act and no member shall be deprived of credit for prior service as a State employe because of the fact that such service was rendered while he or she was a member of the public school employes' retirement association

The term "State employe" shall also include all State officers and employes regularly employed by the year or by the month at a fixed annual or monthly compensation when the General Assembly is not in session but who during a legislative session instead of a fixed annual or monthly salary or compensation are paid upon a per diem basis or by a fixed salary or compensation from the legislative session or who receive no fixed annual or monthly salary but are paid only upon a per diem basis during legislative sessions and subsequent thereto

In all cases of doubt the retirement board shall determine whether any person is a State employe as defined in this paragraph and its decision shall be final

Section 2 Clause nine of section one and section three of said act as last amended by the act approved the eighteenth day of May one thousand nine hundred thirty-seven (P. L. 683) are hereby further amended to read as follows

"Original member" of the retirement association shall mean a State employe who was at any time a State employe prior to January first one thousand nine hundred twenty-five whether or not such employment has been continuous and who shall have become a member of the retirement association on or before December thirty-first one thousand nine hundred thirty-five or in any case where subsequent to such date the definition of State employe has been changed so as to include additional persons not previously classed as State employes if any such person shall have become a member of the retirement association on or before the thirty-first day of December next following the effective date of the act under the provisions of which he was enabled to become a member of the association

Any such State employe who shall become an original member of the association after the approval of this amendment including those who having heretofore become a new member thereof shall become an original member under the provisions hereof shall pay to the retirement association a sum equal to all the back payments which such person would have made had he or she become a member of the retirement association when the retirement system was established Such back payments may be spread over a period of years by having such regular payroll deduction of such person increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the amount thereof shall be paid in full unless such member is retired under the provisions of this act before such back payments have been completed Any such deduction increase may be anticipated in full by the member at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then the member's annuity shall be calculated on the total accumulated deductions standing to his credit and his State annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of the back payments not so anticipated

Original member of the retirement association shall also mean any judge in service on the second Monday of January one thousand nine hundred thirty who shall elect to become a member of the retirement association at any time during the term for which he was then elected or appointed and any person hereafter elected or appointed a judge who at the time of his election or appointment is an original member of the retirement association or who was retired voluntarily or involuntarily as an original member and is at the time of his election or appointment as a judge receiving a retirement allowance as an original member

* * * *

Section 3 A State employes' retirement association is hereby organized the membership of which shall consist of all State employes as defined in paragraph six of section one of this act who by written application to the Retirement Board shall either as an original member or a new member elect to be covered by the retirement system Any State employe who becomes a State employe subsequent to the thirty-first day of December nineteen hundred twenty-four except as provided in paragraphs nine and ten of section one of this act as to judges shall during the first six months of employment as a State employe have the option of membership but after the first six months of such employment as a State employe membership as a new member shall be compulsory Provided however That neither the Governor nor the Lieutenant Governor nor the head or deputy heads of any administrative department nor the members of any independent administrative board or commission or of any departmental administrative board or commission or of any advisory board or commission nor the secretary to the Governor nor the budget secretary nor any legislative employe nor any person over the age of fifty years shall be compelled to become members of said State employes' retirement association

The head of each department board commission or other agency of the State government shall see to it that an application for membership is executed by each new State employe within said six months period and that payroll deductions are not delayed beyond said period

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bentley,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Cadwalader,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,

Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection House Bill No. 722, Printer's No. 349 and House Bill No. 723, Printer's No. 348, on page 32 of today's calendar; House Bill No. 751, Printer's No. 382, on page 33 of today's calendar; and House Bill No. 768, Printer's No. 250, on page 34 of today's calendar, were passed over at the request of the SPEAKER.

FORMER MEMBER WELCOMED

The SPEAKER welcomes to the House this evening a former Member from Northampton County, Dr. Edgar Balliet.

Will the Doctor stand in his place?

The Doctor can sing "De Schnitzelbank" better than any man the Chair has ever heard. Just be "patient" and we will get the Doctor to sing it to you sometime.

BILLS ON FIRST READING

The SPEAKER. If there is no objection the Chair will return to bills on first reading, on page 1 of today's calendar. Is there objection? The Chair hears none.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 596, entitled:

An Act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three (P. L. 15—1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and fees; and imposing penalties," conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 706, entitled:

An Act to further amend section three hundred one and to amend section four hundred one of the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (P. L. 1053) known and cited as "The Public Utility Law."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 809, entitled:

An Act to amend sections two, four, and thirty-two of the act, approved the twenty-first day of June, one thousand nine hundred and thirty-seven (P. L. 1969), entitled "An act relating to non-profit cooperative corporations organized to engage in rural electrification, providing for the organization, consolidation and dissolution of such corporations; prescribing the qualification for membership therein; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing cooperative or nonprofit corporations and associations within the provisions of this act; conferring powers, and imposing duties on certain State departments, commissions and officers; fixing fees; conferring the right of eminent domain; prohibiting the use of certain terms in the corporate names of other corporations; exempting such corporations from excise taxes; imposing on them a license fee; and exempting such corporations from the jurisdiction of the Pennsylvania Public Utility Commission, and from the provisions of the Securities Act," changing the definition of rural area; requiring corporations hereafter incorporated to secure certificates of public convenience from the Pennsylvania Public Utility Commissions and also requiring certificates in cases of new plants and systems and of extensions, improvements, and additions by such corporations; defining the powers of the Commission in such cases; and restricting the exercise of the power of eminent domain.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 845, entitled:

An Act to amend sections six hundred seventeen and six hundred twenty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eight classes; and revising, amending and consolidating the laws relating thereto," by removing certain restrictions as to the location of contagious disease hospitals, and authorizing counties to join with any other municipality or hospital in establishing a joint contagious disease hospital.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE RESOLUTION No. 44

Mr. MOSER. Mr. Speaker, I desire to call up House Resolution No. 44, Printer's No. 375.

The Resolution was read by the Clerk as follows:

In the House of Representatives, March 15, 1943.

After the discovery of the Philippine Archipelago four hundred years ago by Ferdinand Magellan, and until 1898 the islands were held and ruled by Spain.

Following the sinking of the Maine in February, 1898, the declaration of war against Spain and the taking of Manila by Admiral Dewey, the Spanish Government ceased therein and was succeeded by United States Military Rule.

In June, 1898, the Philippines proclaimed their independence with Aguinaldo as President, and within less than a year which was marked by increased hostility toward the United States, the Malolos Constitution was proclaimed declaring the Philippines a Republic.

On the night of February 4th, 1899, the inevitable conflict between the Americans and the Filipinos was precipitated and Aguinaldo declared war on the United States resulting in a struggle which was not terminated until the capture of Aguinaldo by General Frederick Funston, two years later.

Many of the American soldiers who participated in quelling the Philippine insurrection and bringing peace to the islands and their inhabitants and delivering them from starvation, are alive today and are deeply interested in the freedom of the natives and their full and complete independence, which under the terms of the Tydings-McDuffie Act is scheduled to occur in 1945.

The seizure of the islands by Japan will not interfere with the realization of that dream by the Filipinos, for before the day fixed in 1945 for their independence the Japs will have been driven from the Islands and the loyal natives will be better equipped than before to take their place among the free peoples of the world.

Nothing could better serve to mark this epochal event than to have the men who delivered those islands from slavery in 1899 return as Ambassadors of Good Will to the new nation for whose existence they will in great measure have been responsible; therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to take such measures as may be necessary to furnish free transportation on United States warships or other vessels to and from the Philippines as soon after the cessation of present hostilities as is possible to all those men who formed a part of the expeditionary force that made possible the freedom of the Filipinos and the creation of the new Republic of the Philippines; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, the presiding officers of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

On the question,

Will the House adopt the Resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and same being correct, the titles were publicly read as follows:

HOUSE BILL No. 235

An Act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time.

HOUSE BILL No. 388

An Act to amend section four hundred and twenty A of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds association reciprocal and inter-insurance exchanges and fire insurance rating bureau and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by giving minors of the age of eighteen years and upwards full power and authority to make contracts of insurance or annuity with any life insurance company authorized to do business in the Commonwealth of Pennsylvania and to exercise all the powers rights and privileges of ownership conferred on them under the terms of any and all such contracts applied for or issued to them with the same force and effect as if they were of age

HOUSE BILL No. 651

An Act providing for the printing and distribution of Senate and House Bills and Senate and House Calendars

HOUSE BILL No. 696

An Act to repeal the act approved the eighteenth day of June one thousand eight hundred ninety-seven (Pamphlet Laws 168) entitled "An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standard to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same"

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

CONGRATULATORY RESOLUTION

Mr. TROUT offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, April 13, 1943.

Whereas, The Pennsylvania Legislative Correspondents' Association was organized in 1895 and has been in continuous and uninterrupted existence since that date; and

Whereas, The Association has been recognized by the General Assembly of the Commonwealth of Pennsylvania in its rules; and

Whereas, It has been the custom of the Association to hold a biennial dinner during regular sessions of the General Assembly in which members of the General Assembly have participated; and

Whereas, This year is the 48th anniversary of the organization of the Association which is the oldest association of its kind in the Nation; and

Whereas, The members of the Association have voted to dispense with their biennial dinners for the duration of the war; and

Whereas, The Association has used its funds, ordinarily expended toward the cost of these biennial dinners, to purchase War Bonds; therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania felicitates the Pennsylvania Legislative Correspondents' Association on its forty-eight anniversary; and be it further

Resolved, That the General Assembly expresses its hope that conditions will be such in 1945 that the Senators and Representatives can unite with the Correspondents in celebrating in a fitting and appropriate manner the Golden Anniversary of this Association; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to the Pennsylvania Legislative Correspondents' Association at its offices in the News Room in the Capitol.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT

Mr. CADWALADER. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 14, 1943, at 11:30 a. m.

The motion was agreed to, and (at 12:03 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., WEDNESDAY, APRIL 14, 1943. No. 42.

SENATE

WEDNESDAY, April 14, 1943.

The Senate met at 7:00 o'clock, a. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the gentleman from Butler, Senator CARR.

We raise our hearts and souls to Thee this morning, our Heavenly Father, thanking Thee for the light of another day, for the opportunities to serve that it brings with it and asking that Thy blessing may rest upon us in all that we do this day. Grant, our Heavenly Father, that Thy rich blessing may rest upon this country of which we are a part and give Thy guidance and direction to our President and all others in places of authority over us. Grant wisdom and understanding to us in our world struggle, which we believe is for the freedom of all mankind.

We glorify Thee in all things and pray that Thou accept us to Thyself. We ask it in Thy Name. Amen.

JOURNAL

The Clerk started the reading of the Journal of the preceding session.

ROLL CALL REQUESTED

Mr. HALUSKA. Mr. President, I desire a roll call.

The PRESIDENT. Are there any other requests that the roll be called? (There was no response.)

The PRESIDENT. There being no further requests that the roll be called, we will proceed with the next order of business, the reading of the Journal.

POINT OF ORDER

Mr. HALUSKA. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Cambria will state his point of order.

Mr. HALUSKA. A roll call is always in order, is it not, Mr. President.

The PRESIDENT. According to the rules of the Senate, Rule 35, it is necessary that four members ask for a roll call.

Mr. HALUSKA. Mr. President, this is not a call of the House. I am asking for a roll call, not a call of the House.

Mr. HEYBURN. Mr. President, after the order of business of leaves of absence, I think a roll call would be proper. There are a few members who are now absent for good reasons.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. TAYLOR on account of illness.

He also asked and obtained leave of absence for Mr. DEITRICK on account of an emergency call.

He also asked and obtained leave of absence for Mr. ZIESENHEIM.

He also asked and obtained leave of absence for Mr. MALLERY on account of illness in the family.

He also asked and obtained leave of absence for Mr. EDMONDS, temporarily, he will be here in a few minutes.

POINT OF ORDER

Mr. BARR. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. BARR. We are all out of order I think, Mr. President, as there is a motion before the Chair.

The PRESIDENT. Senator Barr, when the Chair recognizes you he will hear what you have to say. The Chair is running this according to the rules of the Senate. Members of the Senate have very frequently transgressed the rules of the Senate. The Chair has not restricted members of the Senate and will not until a member of the Senate raises a question. The Chair will continue to run the Senate that way.

If the gentleman from Allegheny wishes to raise a point of order he may do so.

LEAVE OF ABSENCE REQUESTED

Mr. DENT. Mr. President, am I in order to ask for leaves of absence temporarily for all absent Democratic members.

The PRESIDENT. Unless there is objection the gentleman would be in order in making such a request.

Mr. WADE. I object to the request for blanket leaves of absence.

Mr. DENT. Then, Mr. President, I will ask for them individually, since we seem to have been circumvented on having the roll called.

I ask leaves of absence for Senators Jaspan, Lanius, Mundy, McQuiddy, McCreesh and Coleman.

The PRESIDENT. Does the gentleman from Westmoreland request leaves of absence individually?

Mr. DENT. Yes, I have named the Senators.

Mr. HEYBURN. I object, Mr. President, and would like to give my reasons.

The PRESIDENT. The Chair recognizes the Senator from Delaware.

Mr. HEYBURN. Mr. President, if the gentleman from Westmoreland had been listening when the Senator from Cumberland, Mr. Wade, requested leaves of absence, the Senator from Westmoreland would have noticed that Senator Taylor is ill, Senator Deitrick is absent because of an emergency operation; Senator Edmonds, as everyone knows, is quite ill, but we expect him here in a short time. Senator Mallery has a death in the family. Senator Ziesenheim is in the United States Army.

They are all good reasons, Mr. President, but the fact that some Senator did not get out of bed early enough is not a good reason, and, therefore, I object unless there is a specific reason given for each request for leave of absence.

POINT OF ORDER

Mr. HALUSKA. Mr. President, I rise on a point of order.

Mr. PRESIDENT. The gentleman from Cambria will state his point of order.

Mr. HALUSKA. Mr. President, I raised the point of order this morning to determine whether or not we have a quorum present and before we can ask for leaves of absence it is my contention the roll should be called to determine whether we do have a quorum present to function.

The PRESIDENT. Before such a roll call can be requested or demanded under Rule 35 of the Senate such request must be made by not less than four members of the Senate.

The Senator from Cambria asked for a roll call. Thereupon, another Senator requested leaves of absence. There being no objection, the Chair recognized the Senator from Cumberland and heard his request for leaves of absence and granted leaves of absence to the Senators enumerated by the Senator from Cumberland. As we all know, some of those Senators are ill and there was a reasonable excuse for the other Senators mentioned.

Mr. DENT. Mr. President, I believe all men are inherently honest, and I believe that those men for whom leaves of absence were requested were for legitimate purposes. If the Senate refuses to grant leaves of absence to Senator Lanius and Senator Mundy and the rest of them, it is all right with me. I am here.

Mr. HEYBURN. Mr. President, I have no objection to leave of absence being granted to Senator Lanius, who has been ill. That is perfectly proper.

However, Mr. President, there has been a filibuster started here in the Senate which has necessitated an early start of this Session of the Senate, and if some Senators do not get up in the morning, then I can not agree to leaves of absence for those gentlemen, and whether they are Republicans or Democratic it does not matter.

The PRESIDENT. Are there any further requests that the roll be called.

Mr. WALKER. Mr. President, I join in the request of the gentleman from Cambria that the roll be called.

Mr. JAMES. I likewise join in the request for a roll call.

Mr. BECKER. I join in the request that the roll be called.

The roll was called and the following Senators answered "present".

PRESENT—36

Barr,
Becker,
Bowers,
Carr,
Chapman,
Cox,
Crider,
Crowe,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,

QUORUM PRESENT

The PRESIDENT. The roll has been called. What is the pleasure of the Senate.

Mr. WALKER. May I inquire, Mr. President, whether or not a quorum is present.

The PRESIDENT. There is a quorum present.

ORDER OF THE DAY

Mr. BARR. Mr. President, I call for the order of the day in order that the Senate may proceed with its business.

The PRESIDENT. For the information of the Senators there are thirty-six members of the Senate present.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk again proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. SCARLETT, the further reading was dispensed with, and the Journal was approved.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 440

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 13, 1943.

Resolved (if the Senate concur), That House Bill No. 440, Printer's No. 282, entitled:

An Act to further amend section seven hundred two of the act approved the fifth day of May, one thousand nine hundred thirty-five, (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers, authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS INTRODUCED AND REFERRED

Mr. HEYBURN read in his place and presented to the Chair, Senate Bill No. 566, entitled:

An Act to further amend section one of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 662), entitled "An act relating to retirement from the Pennsylvania National Guard," by providing that Colonels having certain service shall be placed on retired list as Brigadier Generals.

Which was committed to the Committee on Military Affairs.

Mr. WOODRING read in his place and presented to the Chair, Senate Bill No. 567, entitled:

An Act to add subsection E to section two hundred two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," prohibiting domestic and foreign business corporations from doing business, entering into contracts or advertising under any but its corporate name; and prescribing penalties.

Which was committed to the Committee on Corporations.

PERMISSION TO ADDRESS SENATE

Mr. COX asked and obtained unanimous consent to address the Senate.

Mr. COX. Mr. President, I wonder whether, under this order of business, I may interrogate the gentleman from Butler, Senator Carr, relative to some legislation which is in his committee.

The PRESIDENT. Has the Senator from Butler any objection to being interrogated.

Mr. CARR. None whatever, Mr. President.

Mr. COX. Senator Carr, are you Chairman of the Committee on Constitutional changes.

Mr. CARR. I am.

Mr. COX. Senator Carr, has your Committee considered the Ruth bill, which would permit the Commonwealth of Pennsylvania to have a graduated income tax.

Mr. CARR. I could not hear the question of the gentleman from Allegheny.

Mr. COX. I said, Mr. President, has the Committee on Constitutional changes considered a bill introduced by Senator Ruth which would permit the Commonwealth of Pennsylvania to have a graduated income tax.

Mr. CARR. Every bill in my committee is laid before the Committee each time the committee meets and when any member requests that any specific bill be considered, that bill is considered. There was no request from anyone to consider the bill mentioned by the Senator from Allegheny.

Mr. COX. Senator Carr, I am not a member of that Committee, but in all sincerity I wish to say that I hope your Committee will consider that bill.

Mr. CARR. At every meeting of the Committee on Constitutional Changes any bill receives consideration when such a request is made. If someone should ask for consideration of the bill the Senator from Allegheny mentions it will be considered at the next meeting of the Committee on Constitutional changes.

Mr. COX. Mr. President, my reason for making this request is that in 1941 bills were introduced by Senator Ruth and Senator Woodward, both of which had for their purpose changes in the Constitution of Pennsylvania so that Pennsylvania could have a graduated income tax law passed by this Legislature. The Woodward bill went to the House and was defeated, but the Ruth bill passed. I did not know this and had myself prepared a bill for the same purpose, but, of course, since we have the Ruth bill, we do not need any other.

This is an important and serious matter, because it is obvious if we are going to ever make any changes in the tax structure of Pennsylvania, one of the primary things we must do is to have a graduated income tax.

Due to the fact that in order to have a change in the Constitution a bill must pass two sessions of this Legislature before it goes to the people on a referendum, if we believed in 1941 in the theory of a graduated income tax for Pennsylvania, then, of course, we should pursue the same philosophy in this session. Otherwise, if no action is taken or the bill should fail, we must start all over again at some other time and that would be only delaying it, as ultimately we will have a graduated income tax in Pennsylvania.

While I am talking about income tax, Mr. President, I would like to put myself on record so that my motives may not be misconstrued. A graduated income tax in any program would be only one type of measure for raising revenue.

I do not want anyone to get the idea my attitude would be that we are going to have an income tax in Pennsylvania that would take all the methods of raising revenue and place them on the fellow who had the largest income. I think everybody should pay a tax through some form of taxation.

Some time ago I introduced in this Senate a bill which would have the effect of exempting from taxation the first five thousand dollars of assessed valuation on persons owning homes. That bill came back to haunt me last week. In Allegheny County, at a meeting of the solicitors of boroughs, in protest against a bill which would exempt machinery from taxation, one of the individuals brought up the fact that I had introduced this particular bill. I might say I introduced the bill, first, because I wanted to call attention to the fact that the burden of taxation on real estate is a tremendously great one and something should be done about it, and secondly, because ultimately there can be, if we work out our tax program properly, a reasonable exemption on properties used for homes.

Of course, I did not introduce that bill without having in mind a tax program to raise revenues which would be lost by this exemption. I know you are not interested in hearing my theories on taxation this morning, but I want the record clear so far as my motives in introducing that particular bill are concerned.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, before we start consideration of the Calendar, inasmuch as this foolish filibuster is serving no useful purpose, is costing a tremendous amount of money, loss of manpower and everything else, and is completely disgusting the taxpayers of the Commonwealth, I would like to request that the Senator from Allegheny, Mr. Barr, withdraw his request that all bills be read at length and that we return to the symbolic reading of bills.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, in answer to the request of the gentleman from Delaware, Senator Heyburn, he probably knows—if he does not he should know—that the first eighteen bills that passed the Senate and House cost the taxpayers of the state the sum of $768,000.

Since I have insisted that Article 3, Section 4, of the Constitution be observed, there has been far more work done in this Senate. We all know the reason for this. I told the Democratic Caucus Monday just what would happen to the congressional reapportionment bill, and my words were borne out yesterday afternoon by the majority side of this Senate and by one of my colleagues from Allegheny County.

I therefore will have to insist that Article 3, Section 4, of the Constitution be observed.

Mr. HEYBURN. Mr. President, may I make a short answer to the remarks of the gentleman from Allegheny.

The PRESIDENT. If there is no objection, the gentleman from Delaware may proceed.

Mr. HEYBURN. That is entirely up to the Senator from Allegheny, Mr. Barr, but I would like to warn him that he is fast becoming something of a "goat" or whatever you want to call it, in connection with this filibuster, and it is as a friend that I make that suggestion.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 112, on concurrence in House amendments, entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, in absence of the sponsor, I ask unanimous consent that Senate Bill No. 71, on final passage, entitled:

A Joint Resolution proposing an amendment to section four article two of the Constitution of the Commonwealth of Pennsylvania providing for annual sessions of the General Assembly salary of members and annual general appropriations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 345, entitled:

An Act to further amend the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," further regulating the right to, and procedure on, appeals to court.

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred:)

Mr. BARR. Mr. President, I ask for a verification of the roll.

The PRESIDENT. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted "aye".

The Clerk read the names of those recorded as having voted "aye" as follows:

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Ealy,
Farrell,
Geltz,
Homsher,
James,
Kephart,
Scarlett,
Snowden,
Tallman,
Thomas,
Tyler,
Wade,
Watkins,
Wilson, H. I.,

The PRESIDENT. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified. The Clerk will now verify the negative roll.

The Clerk read the names of those recorded as voting in the negative as follows:

Barr,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Heyburn,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Ruth,
Walker,
Wilson, T. B.,
Woodring,

The PRESIDENT. Are there any corrections? The Chair hears none. The negative roll will stand as verified.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—20

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Ealy,
Farrell,
Geltz,
Homsher,
James,
Kephart,
Scarlett,
Snowden,
Tallman,
Thomas,
Tyler,
Wade,
Watkins,
Wilson, H. I.,

NAYS—15

Barr,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Heyburn,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Ruth,
Walker,
Wilson, T. B.,
Woodring,

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 361, on final passage, entitled:

An Act regulating commercial strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, including issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 472, on final passage, entitled:

An Act providing that every mine foreman, assistant mine foreman and fire boss under the Bituminous Mining Laws and the Anthracite Mining Laws of the Commonwealth represent and are officers of the Commonwealth in the mines in which employed; for the suspension or cancellation of the certificates of such officials as shall hold same and for the disqualification of such as are uncertificated by the Secretary of Mines after or prior to hearing for failure or refusal to perform their respective duties; defining the procedure in such hearing and the powers of the Secretary of Mines with respect thereto and providing for a review of his decisions by the Court of Common Pleas of Dauphin County and the Superior Court; providing for reexamination by the Examining Board of any person whose certificate has been cancelled and for reinstatement of such as are uncertificated; and prohibiting the employment by any operator of any person not possessing the requisite certificate or whose certificate is suspended or who has been disqualified

go over in its order, temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 477, on final passage, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1001), entitled "An act providing for the regulations of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by transferring to the Pennsylvania Public Utility Commission the powers and duties conferred and imposed upon the Department of Revenue, and directing that the cost of administering said act shall be segregated on the books of the commission and changing disposition of penalties collected

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING CALENDAR OVER IN ORDER TEMPORARILY

Mr. HEYBURN. Mr. President, I understand that some of the bills on third reading calendar are not up from the printers as yet so I move that all bills on third reading calendar go over in order temporarily.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

BILL OVER IN ORDER

Mr. CRIDER. Mr. President, I ask unanimous consent that Senate Bill No. 92, on second reading, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 176, entitled:

An Act to amend the act approved the twenty-eighth day of July, one thousand nine hundred and forty-one (P. L. 541), entitled "An act authorizing county commissioners to sell seated and unseated lands purchased at tax sales upon which the period of redemption has expired, and validating certain sales heretofore made," extending the time within which sales may be made.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. WALKER. Mr. President, I ask unanimous consent that Senate Bill No. 217, on second reading, entitled:

An Act creating a joint legislative committee for the purpose of studying investigating and reporting findings and recommendations to the next regular session of the General Assembly on the problems of crime prevention, sentencing, incarceration, commutation of sentence, probation, parole, pardoning and penal systems authorizing the employment of necessary assistants and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 311, on second reading, entitled:

An Act authorizing the county commissioners in each county of the second class to appoint a fire marshal and two assistant fire marshals providing for the term of office and compensation of the persons so appointed and prescribing their powers and duties imposing certain additional duties upon county commissioners policemen constables watchmen and other persons authorizing the fire marshal or his assistants to enter upon properties to investigate various fire hazards and to order the removal or abatement of such hazards conferring certain police powers upon the fire marshal and his assistants repealing certain general special and local legislation and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EALY. Mr. President, I ask unanimous consent that Senate Bill No. 354, on second reading, entitled:

An Act to further amend clause (d) of section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 452), entitled, as amended, "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to sell and convey projects and property to the Commonwealth, the United States, or any Federal agency

go over in its order, until later in the day.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 356, on second reading, entitled:

An Act to amend clause one of section seven hundred two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the period for which contracts for lighting may be made

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 539, entitled:

An Act to further amend section eight hundred one of the act approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by requiring further hearings on proposed orders and eliminating the requirement of the

Governor's approval for certain orders of the commission and any amendments or revisions thereof fixing or changing the price of milk.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 588, on second reading, entitled:

An Act to amend paragraph four of subsection (c) of section two hundred two and to further amend section six hundred twenty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-surance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the purposes for which certain companies may be incorporated to include insuring medical hospital surgical and funeral expenses in connection with certain kinds of liability insurance and insuring against loss or damage to property from certain causes for which the person insured is liable

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 649, entitled:

An Act to amend section one thousand five hundred seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing a method for financing the cost of constructing sewers or drains.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 170, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police.

POINT OF ORDER

Mr. BARR. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. BARR. Mr. President, I do not find House Bill No. 170 on my desk.

The PRESIDENT. The Chair has just been informed that House Bill No. 170 has not come up from the printer.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 170 on first reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

POINT OF ORDER

Mr. HOLLAND. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. HOLLAND. Mr. President, the gentleman from Delaware stated that the reason we have not acted on third reading bills is that they have not been returned from the printer. I have just made a check of the third reading bills and of thirty-four third reading bills on the Calendar every bill is in my file with the exception of three.

I wish to call to the attention of the gentleman from Delaware the fact that the reason we are not considering third reading bills is not any delay caused by the Democrats, but because the Republicans do not have sufficient votes present to pass the bills.

Mr. HENRY I. WILSON. These bills have been reported from the Committee on Workmen's Compensation with the request that they be referred to the Committee on Labor and Industry, because they refer to Unemployment Compensation and all other bills relating to that subject have been referred to the Committee on Labor and Industry. I think they have been referred to our Committee by mistake.

The PRESIDENT. The bills have been so re-referred.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 363, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 390, entitled:

An Act to further amend section three and section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for livestock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by providing for the issuing of free licenses for seeing-eye dogs and by increasing the amount of certain payments to be made to the Commonwealth for damage caused by dogs or rabies.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 419, on first reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-one thousand acres of land in the County of Franklin, Commonwealth of Pennsylvania, known as the Letterkenny Ordnance Depot, and ceding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 420, on first reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Lancaster County, Pennsylvania, known as the Marietta Holding and Reconsignment Point, and ceding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 465, on first reading, entitled:

An Act authorizing the Department of Welfare to enter into contracts for foodstuffs to supply State and State-aided institutions, and to purchase the same in open market, and to process the same for preservation; providing for transfers from appropriations made to such institutions in payment therefor; authorizing dehydrating plants and equipment at State institutions, and the use of inmate labor thereat; conferring powers and imposing duties on the Department of Property and Supplies; and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 473, on first reading, entitled:

An Act to further amend sections four five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by limiting the power of an Authority to acquire the title to projects subject to the jurisdiction of the Pennsylvania Public Utility Commission authorizing an appeal to the court of common pleas from such action on the part of the Authority; and providing that Authority bonds shall be sold only at public sale after public notice by advertisement

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 497, on first reading, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Navigation Commission of the Delaware River, to secure accommodations ashore for use by said commission in the conduct of the nautical school now located at the Port of Philadelphia; and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 498, on first reading, entitled:

An Act creating a commission to make a study and investigation of strip mining; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 500, on first reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia, Pennsylvania, known as the Frankford Arsenal, and ceding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 522, entitled:

An Act relating to post-war planning creating a Post-War Planning Commission and defining its powers and duties conferring powers and duties upon State administrative departments boards and commissions political ubdivisions and other agencies and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 535, entitled:

An Act to further amend section one, article eight, of he act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal-mines of Pennylvania, and for the protection and preservation of property connected therewith," providing that only persons who are registered holders of certificates of qualification or service shall be employed as mine foremen and assistant mine foremen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous conent that Senate Bill No. 540, on first reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Montgomery County, Pennylvania, known as the United States Naval Air Station, Hatboro Willow Grove, Pennsylvania, and ceding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous conent that Senate Bill No. 545, on first reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Cumberland County, Pennylvania, for a supply depot, known as the United States Naval Supply Depot, Mechanicsburg, Pennsylvania, and eding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 549, entitled:

An Act to further amend sections three hundred one nd three hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by authorizing the Board of Finance and Revenue with the approval of the Governor to invest State deposits in short-term obligations of the United States government and to dispose of the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 817, entitled:

An Act to amend the title and the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2420) entitled "An act fixing the hours of rest each calendar week and the vacation period of members of the Pennsylvania Motor Police and Patrolmen and Guards in State Parks" by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 818, entitled:

An Act to amend sections one two and four of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 494) entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescribing the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies" by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 819, entitled:

An Act to further amend the title and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1314) entitled as amended "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth prescribing the qualifications for admission of such persons to such school providing for the payment of certain costs by such students conferring certain powers upon the Pennsylvania Motor Police and making an appropriation" by imposing upon the Pennsylvania State Police the duties formerly imposed upon the Pennsylvania Motor Police.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 820, entitled:

An Act to amend the ttile and certain sections of the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled "An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by changing the name of the Pennsylvania Motor Police Retirement System to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police and conforming said act to existing law.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 824, entitled:

An Act to further amend certain sections of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as reenacted and amended by making the moneys in the Motor License Fund available to the Pennsylvania State Police to defray the expenses required by such agency in the proper conduct of part of its work.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 826, entitled:

An Act to further amend sections eight hundred and twenty-three (i) and (j) and one thousand two hundred and eleven of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors, burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damage caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 829, entitled:

An Act to amend the title and sections four five six and eight of the act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled "A supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled 'An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties' by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System and the name Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 831, entitled:

An Act to amend the title and certain sections of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 660) entitled "An act providing for the return of escaped prisoners and convicts after apprehension to the penitentiary or state institution from which they escape by the agents of the Department of Justice or the Pennsylvania Motor Police and requiring the penitentiary or state institution to defray the expenses thereof" by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 833, entitled:

An Act to further amend the title and the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 414) entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania Motor Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of House Bill No. 889, entitled:

An Act to amend section eight of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by changing the name State Highway Patrolmen to Pennsylvania State Police.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 914, entitled:

An Act to further amend the title and certain sections of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania Motor Police authorizing the appointment of the chiefs of fire department and certain public officers and others as assistants to the Pennsylvania Motor Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania Motor Police and the enforcement of its orders and prescribing penalties" by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS SENATE

Mr. HENRY I. WILSON asked and obtained unanimous consent to address the Senate.

Mr. HENRY I. WILSON. Mr. President, I am about to report from the Committee on Workmen's Compensation four bills, and in doing so I request that they be re-referred to the Committee on Labor and Industry because they refer to unemployment compensation and all similar bills have been referred to that committee. I think these bills were referred to the Committee on Workmen's Compensation by mistake.

REPORTS FROM COMMITTEES

BILLS RE-REFERRED

Mr. HENRY I. WILSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENRY I. WILSON, from the Committee on Workmen's Compensation, reported as committed, Senate Bill No. 192, entitled:

An Act to amend section four hundred seven of the act approved the fifth day of December, one thousand nine hundred thirty-six, (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for payment of compensation to certain employes upon discharge from military or naval service of the United States.

which was re-referred to the Committee on Labor and Industry.

He also, from the Committee on Workmen's Compensation, reported as committed, Senate Bill No. 446, entitled:

An Act to amend section four hundred seven of the act approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 2897, 1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for payment of compensation to certain employes who served in the armed forces of the United States during the present war.

which was re-referred to the Committee on Labor and Industry.

He also, from the Committee on Workmen's Compensation, reported as committed, Senate Bill No. 451, entitled:

An Act to amend section four hundred seven of the act approved the fifth day of December, one thousand nine hundred thirty-six, (P. L. 2897, 1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for payment of compensation to employes upon discharge from the armed forces of the United States.

which was re-referred to the Committee on Labor and Industry.

He also, from the Committee on Workmen's Compensation, reported as committed, Senate Bill No. 560, entitled:

An Act to further amend the first paragraph of clause (i) of section four and section three hundred one of the act approved the fifth day of December, one thousand nine hundred thirty-six (P. L. 2897-1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in th custody of the State Treasurer; and prescribing penalties," conforming said act to the Federal excise tax on wages of employes by exempting employers who do not employ in employment subject to said act eight or more employes in a calendar year.

which was re-referred to the Committee on Labor and Industry.

SENATE BILL No. 361 CALLED UP

Mr. HEYBURN. Mr. President, I call up Senate Bill No. 361, Printer's No. 145, on page 3 of the final passage calendar.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 361, entitled:

An Act regulating commercial strip mining imposing requirements to engage therein including the planting or sowing of certain lands giving powers and duties to the Secretary of the Department of Forests and Waters including issuing permits providing for appeals to the Court of Common Pleas of Dauphin County and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be deemed to be an exercise of the police powers of the Commonwealth for the protection of the property and for the general welfare of the people of the Commonwealth by providing for the conservation and improvement of areas of land subjected to "strip mining" to aid thereby in the protection of game birds and wildlife to enhance the value of such land for taxation to decrease soil erosion and the pollution of lakes and streams and generally to restore the use and enjoyment of such lands

Section 2. The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise

"Strip mining" shall mean the mining or recovery of coal by removing the material or overburden which is above the coal deposits or seams.

"Commercial strip mining" shall mean the practice of strip mining for the purpose of producing or selling the coal removed by strip mining but shall not include any operation carried on by one who produces or intends to produce and recover less than two hundred fifty tons of coal in any period of twelve successive calendar months

"Operator" shall mean a person firm corporation or partnership engaged in carrying on commercial strip mining

"Strip pit" shall mean a tract of land from which the material or overburned above the coal has been removed or is being removed or is proposed to be removed by mechanical means for the recovery of the coal

"Secretary" shall mean the Secretary of the Department of Forests and Waters

Section 3 It shall hereafter be unlawful for any operator to engage in commercial strip mining as defined in this act without first obtaining from the Secretary of the Department of Forests and Waters a permit to do so in the form hereinafter provided and complying thereafter with all the other requirements of this act

Section 4 Any operator desiring to engage in commercial strip mining shall make written application to the Secretary of the Department of Forests and Waters for a separate permit for each strip pit wherein such operator proposes so to engage Application for the permit shall be made in such form as shall be prescribed by the secretary which form shall require a statement showing the township and county or other municipal subdivision in which the strip pit is located the approximate number of acres of coal that it is proposed to recover annually and the approximate date upon which strip mining shall commence Such application shall be accompanied by an annual fee which shall be payable to the Commonwealth of Pennsylvania as follows For less than twenty-five acres of land to be operated by strip mining in one year an annual fee of one hundred dollars ($100.00) for more than twenty-five acres but less than fifty acres to be operated by strip mining in one year an annual fee of two hundred fifty dollars ($250.00) for fifty acres and over to be operated by strip mining in one year an annual fee of five hundred dollars ($500.00) These fees shall be placed in a special fund to be used by the secretary to rehabilitate strip pit lands which were in this condition prior to this act Such application together with the proper fee shall also be accompanied by a bond provided for in section seven of this act Upon receipt of such application fee and bond the secretary shall issue a permit to the applicant beginning either the first day of January or the first day of July of each year which shall entitle the operator to engage for one year thereafter in commercial strip mining at the general location of the strip pit described in said permit Such permit shall be renewed annually by the secretary upon receipt by him of the required annual fee so long as the operator complies with the provisions of this act

The permit aforesaid when issued shall remain in effect until revoked by the secretary because of failure of the operator to perform any of the secretary's requirements or because of violation by the operator of any of the provisions of the act or because of failure of the operator to pay the proper annual renewal fee within thirty days after written notice and demand therefor by the secretary

Section 5 Said operator shall annually submit to the secretary on or before the first day of September duplicate copies of a map in form approved by the secretary setting forth the location by township and county or other municipal subdivision with such other description as will identify the land from which the operator removed coal by the strip mining method during the preceding permit year with a legend upon such map showing the number of acres affected by such mining operations and said operator shall annually submit to the secretary on or before the first day of September duplicate copies of a map in form approved by the secretary setting forth the location by township and county or other municipal subdivision with such other description as will identify the land whereon operator's strip pits were located prior to the effective date of this act, which land the operator is required to plant in the amount and at such time as in this act provided The accuracy of the acreage shown upon the map may be checked by the secretary and if found to be erroneous it shall be corrected by the operator and a new map furnished as required by the secretary

Section 6 (a) Said operator shall sow set out or plant upon such land described in said map first described in section five or upon an equal number of acres of other land previously strip mined by the operator and approved by the secretary the quantity of seed plants tree seedlings shrubs or grasses which shall be recommended or approved in writing by the secretary In addition to planting lands herein above described said operator shall annually sow set out or plant any unplanted strip pit land owned or held under lease by the operator and strip mined by such operator prior to the effective date of this act the number of acres equal to ten per centum of the number of acres that said operator strip mined as indicated by said map first described in section five In making such recommendations as to the planting the secretary shall consult the advice of foresters of the Department of Forests and Waters to the end that the land may be in part covered by forests and in part provide shelter and ground cover for wildlife Where forest planting is recommended the operator may elect the purposes for which the forest is to be planted whether the forest is to be hard-wood or conifers and whether its future use is to be for lumber pulp wood or otherwise In making his recommendation to the operator the secretary shall indicate the approximate number of trees to be planted per acre basing his requirements on the standard practices used in forestry for the production of commercial forests He shall not include the use of trees which are not ordinarily used in commercial forest practice nor shall the trees be required to be greater in size or age than are planted generally in commercial forest projects

(b) All planting required by the secretary shall be done in the following planting season and shall be prosecuted by the operator to completion with reasonable diligence

(c) All plantings of seedling trees or shrubs under this act may be made with planting stock furnished by the State nurseries in proper size for commercial planting and at standard prices promulgated for the general public However the opportunity shall be given to the operator to purchase or secure suitable trees plants or shrubs from commercial nurseries or elsewhere if the operator so elects The secretary or his accredited representatives may enter upon the lands of the operator at all times for the purpose of inspection to determine whether the provisions of this act have been complied with

(d) In the event that any operator for causes beyond his control or if any operator is unable to acquire sufficient planting stock from the State nurseries or from private nurseries at a price equal to or less than the price charged by the State nurseries the secretary may grant an extension of time to plant such land from year to year

Section 7 Contemporaneously with and as a condition precedent to the issuance of the permit there shall be filed by the operator with the secretary a bond payable to the Commonwealth of Pennsylvania conditioned that the operator shall faithfully perform all requirements of the secretary in accordance with the provisions of this act Such bond shall have a corporate or individual surety approved by the secretary Such bond shall not be for less than one hundred twenty-five dollars ($125.00) and such additional amount as will equal twenty-five dollars ($25.00) for each acre or portion thereof of land in excess of five acres proposed thereafter by the operator to be subjected to commercial strip mining for the ensuing year The bond shall from time to time be increased or reduced by the secretary in accordance with the number of acres added to the land for strip mining operations or in accordance with the operator's withdrawal of acreage or by reason of his performance of his obligations subsequent to the issuance of the permit Any operator may execute the bond without surety if he shall deposit with the secretary cash in the amount of twenty-five dollars ($25.00) for each acre of land proposed by him to be strip mined within the period covered by the permit or the renewal thereof Such bond or deposit shall be retained by the secretary as a guarantee by the operator for faithful performance by the operator Should the operator fail to carry out the requirements the secretary may proceed against the bond and the money recovered therefrom shall be placed in a special fund to be used by the secretary to rehabilitate strip pit lands in accordance with the provisions of this act The secretary shall release any bond and shall repay any deposits no longer necessary to be maintained for the purpose of this act upon showing by operator that the necessary provisions of this act have been complied with

Section 8 Any unexpired permit shall be effective so long only as the operator shall possess the legal right or estate to recover coal from the land described in said permit All right of the secretary to require improvements shall terminate within six years after the end of the permit year in which strip mining was completed upon said land unless he shall before the end of said period have served upon the operator written directions to make such improvements The secretary shall release from the effect of this act either by reason of compliance or limitation of time all or any part of the land affected by this act by filing with the recorder of deeds of the county in which the land is located a written release in form prepared by the secretary

Section 9 The secretary shall have authority to grant refuse modify revoke or cancel permits in accordance with the provisions of this act and generally shall have power and authority to carry out and administer the provisions of this act

Section 10 No permit shall be refused cancelled or revoked by the secretary until after a hearing on written charges has been had before the secretary after not less than fifteen days written notice fixing date and place of such hearing has been given to such operator

All testimony taken at any hearing before the secretary shall be reported stenographically and a full and complete record shall be kept of all proceedings before the secretary of any hearing and shall be available to the parties in interest

All decisions of the secretary shall be in writing and shall fully state the grounds therefor

Section 11 Any operator aggrieved by any decision of the secretary may file within thirty days thereafter in the Court of Common Pleas of Dauphin County a petition alleging therein the action or decision of the secretary complained of and praying for a reversal thereof Every such petition shall specify the petitioner's objections to the action and decision of the secretary and no objection not so specified shall be considered by the court The court shall thereupon issue a rule on the secretary to show cause why his action or decision should not be set aside Upon service of the rule upon the secretary returnable within ten days from its date the secretary shall on or before the return day file an answer in which he shall set forth the grounds for his decision He shall also on or before the return day of such rule certify to the Court of Common Pleas of Dauphin County the record of the proceedings to which the petition refers Such record shall include the testimony taken therein the findings of fact if any of the secretary based upon such testimony a copy of all orders made by the secretary in the proceedings and a copy of the action or decision of the secretary which the petition calls upon the court to reverse

Upon filing of the secretary's answer the case before the Court of Common Pleas of Dauphin County shall be heard

The case shall be heard upon the record certified to the court by the secretary Additional testimony shall not be taken before the court but the court may in proper cases remit the record to the secretary for the taking of further testimony

From the decision of the Court of Common Pleas of Dauphin County an appeal may be taken by either party to the Superior Court of Pennsylvania as in other cases

A judgment sustaining the refusal of the secretary to grant or renew a permit shall not bar after one year a new application by the plaintiff for a permit nor shall a judgment in favor of the plaintiff prevent the secretary from thereafter revoking or refusing to renew such permit for any proper cause which may thereafter accrue or be discovered The court shall have full power to dispose of all costs

Section 12 The secretary may require by subpoena or summons issued by him the attendance and testimony of witnesses and the production of any books accounts records papers and correspondence relating to any matter which the secretary has authority under this act to consider or investigate and for this purpose he may sign subpoenas administer oaths and affirmations examine witnesses and receive evidence

Section 13 The secretary is hereby given authority to draft and promulgate rules and regulations respecting the administration of this act and such rules shall set forth the duties of operators applying for permits under this act

Section 14 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than two hundred fifty dollars ($250.00) nor more than five thousand dollars ($5,000.00)

Section 15 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 16 The act approved the eighteenth day of June one thousand nine hundred forty-one (Pamphlet Laws 133) entitled "An act relating to coal stripping operations providing for the health and safety of persons employed therein and for the inspection and regulation of such operations by the Department of Mines requiring certain information and reports and prescribing penalties" in so far as inconsistent herewith is hereby repealed

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 17 This act shall become effective sixty days after final enactment

On the question,

Shall the bill pass finally?

(During the calling of the roll the following occurred.)

Mr. HENRY I. WILSON. Mr. President, I raise the question as to what bill we are voting on.

The PRESIDENT. Senate Bill No. 361.

Mr. HENRY I. WILSON. Mr. President, they were going to allow that bill to go over in its order.

Mr. THOMAS B. WILSON. The roll is being called, Mr. President.

Mr. HENRY I. WILSON. It is all right with me, Mr. President.

Mr. WATKINS. It is true, Mr. President, that this bill was to have gone over in order because one of the Senators was preparing some amendments, but it was decided that the amendments would be introduced in the House, if that is satisfactory to the gentleman from Jefferson, Mr. Henry I. Wilson.

Mr. HENRY I. WILSON. I am sorry, Mr. President. I am not the sponsor of this bill but I hate to be embarrassed on the floor of this Senate about it. This was not arranged for. I ask to be recorded as voting "no," under the circumstances, because there are some features in this bill to which I cannot subscribe without having them corrected. It was understood that the bill would go over in order. That is all there is to it. Just record me as having voted "no" and that is all there is to it.

The PRESIDENT. The gentleman from Jefferson will be so recorded.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Barr,
Becker,
Bowers,
Carr,
Chapman,
Cox,
Crider,
Crowe,
Dent.
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
McGinnis,
McQuiddy,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Tyler,
Wade,
Walker,
Watkins,
Wilson, T. B.,
Woodward,
Woodring,

NAYS—3

Letzler,
Thomas,
Wilson, H. I.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 472 CALLED UP

Mr. HEYBURN. Mr. President, I call up the next bill on final passage, Senate Bill No. 472, Printer's No. 238.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 472, entitled:

An Act providing that every mine foreman assistant mine foreman and fire boss under the Bituminous Mining Laws and the Anthracite Mining Laws of the Commonwealth represent and are officers of the Commonwealth in the mines in which employed for the suspension or cancellation of the certificates of such officials as shall hold same and for the disqualification of such as are uncertificated by the Secretary of Mines after or prior to hearing for failure or refusal to perform their respective duties defining the procedure in such hearing and the powers of the Secretary of Mines with respect thereto and providing for a review of his decisions by the court of common pleas of Dauphin County and the Superior Court providing for reexamination by the examining board of any person whose certificate has been cancelled and for reinstatement of such as are uncertificated and prohibiting the employment by any operator of any person not possessing the requisite certificate or whose certificate is suspended or who has been disqualified

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Every mine foreman assistant mine foreman or fire boss under the provisions of the Bituminous Mining Laws or the Anthracite Mining Laws shall represent the Commonwealth in the coal mine or colliery in which he is employed and be deemed to be an officer of the Commonwealth in enforcing the provisions of said Mining Laws and performing his duties thereunder He shall perform said duties during such times as the mine or colliery in which he is employed is in operation and at such other times as in the judgment of the operator or the Secretary of Mines shall be necessary or desirable to make the mine or colliery safe for operations or to protect the health and safety of the employees of the operator or the safety of the mine or colliery properties

Section 2 Upon complaint of any mine inspector or of any operator or his authorized representative that a mine foreman assistant mine foreman or fire boss has failed or refused to perform any duty with which he is charged under the provisions of the law or engages in any acts or activities interfering with the safe and lawful operation of any mine or colliery specifying the particular acts failure or refusal the Secretary of Mines or in his absence or incapacity to act any Deputy Secretary may after written notice to such official setting forth said complaint a hearing thereon and appropriate findings as hereinafter provided suspend for a period of not more than one year or revoke absolutely the certificate of such mine foreman assistant mine foreman or fire boss The Secretary of Mines upon receiving any such complaint shall have the power if he deems such action advisable forthwith to suspend the certificate of such official temporarily until such hearing and determination of the charges have been completed

Section 3 Said hearing shall be conducted by the Secretary of Mines or a Deputy Secretary or other qualified representative of the Commonwealth delegated in writing by the Secretary at such time and place in the district where the official charged is employed as the person conducting the hearing shall designate and on not less than five (5) days written notice thereof The official charged the operator of the mine or colliery in which said official was employed or his or its representative shall have the right to appear at said hearing in person to be represented by counsel to present testimony and other evidence material to said charge and to examine witnesses All testimony taken at such hearing shall be under oath and shall be reduced to writing by a competent person designated by the Secretary of Mines The person conducting said hearing shall cause to be compiled and filed with the Secretary of Mines a complete record of said hearing Within ten (10) days following the close of such hearing any party to the proceeding may file with the Secretary of Mines a written brief or argument The Secretary of Mines shall within thirty (30) days following the close of such hearing make findings based on the evidence and shall embody such findings in an order determining the charges and stating the action taken thereon Such findings and order shall be served upon all parties to the proceeding either personally or by registered mail within ten (10) days after such findings The Secretary of Mines shall have authority from time to time to make amend and rescind rules and regulations relating to the conduct of hearings under this Act

Section 4 The action of the Secretary of Mines in suspending or revoking any certificate or in failing to do so shall upon petition to any party to the proceeding filed within thirty (30) days after service of his order be subject to review by the Court of Common Pleas of Dauphin County with the right of appeal to the Superior Court The Secretary of Mines shall have the right at any time to modify his order embodying such action Any official whose certificate has been revoked shall have the right after one (1) year to appear before the proper Mine Foreman's Examining Board and be reexamined and if he satisfies the Board that he is then qualified to perform his duties and passes a satisfactory examination he shall be given another certificate of qualification

Section 5 For the purpose of carrying out the provisions of this Act the Secretary of Mines or any Deputy Secretary or other person delegated by the Secretary to conduct a hearing as herein provided shall have the power to administer oaths and affirmations examine witnesses receive evidence and issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation In case of refusal to obey any subpoena issued to any person any Court of Common Pleas within the jurisdiction where the hearing is held or within the jurisdiction where the person guilty of refusal to obey is found or resides or transacts business shall upon application of the Secretary of Mines or his authorized representative have power to enforce such subpoenas in contempt proceedings

Section 6 Orders and other process and papers of the Secretary of Mines under this Act may be served either personally or by registered mail or by leaving a copy thereof with some adult person at the home or principal office or place of business of the person required to be served The verified return by the individual so serving the same setting forth the manner of serving shall be proof of the same and the return post office receipt therefor when registered and mailed shall be proof of service of the same

Section 7 Any person without a certificate employed to perform the duties of mine foreman assistant foreman or fire boss under the provisions of the Bituminous or Anthracite Mining Laws who fails or refuses to perform his duties or who engages in any acts or activities interfering with the safe and lawful operation of any mine or colliery shall also be subject to like complaint and disciplinary action by the Secretary of Mines All the provisions of Sections 2 to 6 inclusive hereof applicable to proceedings involving a certificated official shall also be applicable to proceedings involving an uncertificated official provided that in the case of an uncertified official the Secretary of Mines upon finding that the charges have been sustained shall make an order disqualifying said official from holding office for a period of not more than one year and provided further that such official shall have the right after his period of disqualification to be reinstated in good standing upon satisfying the Secretary of Mines that he is then qualified to perform his duties

Section 8 No operator may lawfully employ or continue in employment in such capacity a mine foreman assistant mine foreman or fire boss whose certificate has been suspended or revoked during the effective period of such suspension or revocation or who has been disqualified during the effective period of such disqualification

Section 9 All other acts or parts of acts inconsistent herewith are hereby repealed

Section 10 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Kephart,
Letzler,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—11

Barr,
Cox,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

POINT OF ORDER

Mr. HEYBURN. Mr. President, I rise on a point of order.

The PRESIDENT. The gentleman from Delaware will proceed.

Mr. HEYBURN. The Senators will have to keep their seats. We can not do business unless the Senators remain at their desks.

The PRESIDENT. That is correct. That is what they are supposed to do; they are here for business.

Mr. FARRELL. Mr. President, we can not hear a thing over here. I would like to know what is going on, but we can not hear the bills being read over here. I can not hear anything.

The PRESIDENT. Very well. We will have to have strict order kept and the Chair requests that the Senators co-operate in order that it will not be necessary to bang the gavel and break it.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 25, entitled:

An Act making an appropriation to the Monongahela Memorial Hospital Association of Monongahela City Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of ten thousand dollars ($10,000) or as much thereof as many be necessary is hereby appropriated to the Monongahela Memorial Hospital Association of Monongahela Pennsylvania for the purpose of rebuilding and reequipping the laundry of said hospital which was destroyed by fire on September twelfth one thousand nine hundred and forty-two and against which the Commonwealth had a lien as provided for under the provisions of the act approved the ninth day of June one thousand nine hundred and eleven (P. L. 736) entitled "An act making appropriations to institutions not wholly managed by the Commonwealth of Pennsylvania liens on the premises of such institutions for the use of the Commonwealth and providing for the collection thereof" which lien has been or is intended to be paid off out of the proceeds of fire insurance carried on said laundry by the hospital association in favor of the Commonwealth The money hereby appropriated shall be paid over in accordance with law upon the payment and satisfaction of said existing lien and the entry of a new lien therefor in accordance with said act of Assembly

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agree to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
[illegible]
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,
Woodring,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 72, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" providing for the divestiture of judgments obtained thereunder by tax sales heretofore or hereafter made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 310) is hereby further amended to read as follows

Section 4 Property of Indigent Persons Liable for Expenses Incurred for Support and Assistance (a) The real and personal property of any indigent person shall be liable for the expenses of his support maintenance assistance and burial incured by any public body or public agency if such property was owned during the time such expenses were incurred or if the right to ownership of such property existed or was acquired during the time such expenses were incurred Any public body or public agency may sue for moneys so expended and any judgment obtained shall be a lien upon the real estate of such indigent person and be collected as other judgments except as to the real and personal property comprising the home and furnishings of such indigent person which home shall be subject to the lien of such judgment but shall not be subject to execution on such judgment during the lifetime of the indigent person surviving spouse or dependent children Any judgment so obtained shall be divested by any tax sale of the property bound thereby heretofore or hereafter made to satisfy any State or local tax

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agree to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Dent,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
McGinnis,
McQuiddy,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 86, entitled:

An Act to amend paragraph (f) of section two thousand three and paragraph (e) of section two thousand five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined by extending the authority of the Department of Highways to rent and sell certain equipment and material

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph (f) of section two thousand three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

Section 2003 Machinery Equipment Lands and Buildings The Department of Highways shall have the power and its duty shall be

* * * * *

(f) To rent State owned road building equipment to political subdivisions of the Commonwealth [for periods not exceeding three months] or to any agency bureau or department of the Federal Government upon such terms as shall be established by the rules and regulations of the Department with the approval of the Governor providing however that State owned road building equipment shall not be rented to political subdivisions of the Commonwealth for periods exceeding three months and to sell at cost to any agency bureau or department of the Federal Government any road or bridge building material for which the Department may have no immediate need

Section 2 Paragraph (c) of section two thousand five of said act approved the ninth day of April one thousand nine hundred twenty-eight (P. L. 177) is hereby amended to read as follows

Section 2005 General Road Improvement The Department of Highways shall have the power and its duty shall be

* * * * *

(e) To cause to be published maps showing complete surveys of each county which shall be kept on sale in the Department at the cost of publication Said maps may be furnished free to any agency bureau or department of the Federal Government

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
McGinnis,
McQuiddy,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 361 CALLED UP FOR RECONSIDERATION

Mr. THOMAS B. WILSON. Mr. President, I call up at this time Senate Bill No. 361, Printer's No. 145, on page 3 of today's calendar, for reconsideration.

RECONSIDERATION OF SENATE BILL No. 361

Mr. THOMAS B. WILSON. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 361, entitled:

An Act regulating commercial strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, including issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. THOMAS B. WILSON. Mr. President, I voted "aye"

Mr. DENT. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DENT. Mr. President, I voted "aye"

The motion was agreed to.

BILL OVER IN ORDER

Mr. WATKINS. Mr. President, I ask unanimous consent that Senate Bill No. 361, on final passage go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 177, entitled:

An Act to amend section three hundred one of the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for the payment of contributions by employers in accordance with an experience rating system and providing for and regulating such experience rating system and the terms and procedure to effectuate the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred one of the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as amended by the act approved the twenty-third day of April one thousand nine hundred and forty-two (P. L. 60) is hereby further amended to read as follows

Section 301 Contributions by Employers Experience Rating

[(1)] (a) Each employer shall pay contributions equal to the following percentage of wages paid or payable by him or it with respect to employment

[(a)] (1) Nine-tenths per centum with respect to employment occurring during the calendar year 1936

[(b)] (2) One and eight-tenths per centum with respect to employment occurring during the calendar year 1937

[(c)] (3) Two and seven-tenths per centum with respect to employment occurring during the calendar years 1938 1939 1940 [and] 1941 1942 and 1943

[(2) Each employer shall pay contributions equal to two and seven-tenths per centum of wages paid by him during the calendar year 1942 and during each calendar year thereafter with respect to employment occurring after December 31 1941]

(4) A basic rate of two and seven-tenths per centum with respect to employment occurring during the calendar year 1944 and for each calendar year thereafter But the rate of contribution of each employer who has paid contributions under this act for at least four full calendar years whether prior or subsequent to the adoption of this amendment shall be subject to adjustment for each such calendar year beginning with employment occurring during the calendar year 1944 between a minimum rate of one per centum and a maximum rate of two and seven-tenths per centum in accordance with clause (c) hereof and for each calendar quarter in accordance with clause (f) hereof

(b) For the purposes of this section

(1) "Compensated Employe" means an employe to whom compensation was paid in a benefit year

(2) "Wages of a compensated employe" means wages which were paid to a compensated employe in the base year immediately preceding the employe's benefit year which wages shall be treated as though they had been paid in the calendar year in which the first compensation of the employe's benefit year was paid

(3) "Credit for reemeployment" means for each employer the total of the amounts allowed as herein set forth for any former employes reemployed by him or employes resuming work commencing with the benefit years which begin in the calendar year nineteen hundred forty-one An employer who desires such a "credit for reemployment" shall notify the department in writing within thirty days after the end of the employe's benefit year that he reemployed within such benefit year a compensated employe For benefit years which began in one thousand nine hundred and forty-one or one thousand nine hundred and forty-two such notice may be given within thirty days after the end of the employe's benefit year or within sixty days after the effective date of this act whichever date is later If the department finds that any such employe did not receive benefits within such benefit year in excess of seventy-five per centum of the maximum benefits payable to him in the benefit year then for the determination of the "employer's experience" the total wages paid to such compensated employes shall be reduced by an amount equal to the percentage indicated in the following table

Maximum benefits received by an employe during a benefit year	Credit against wages paid to a compensated employe
Not more than 25%	75%
More than 25% and not more than 50%	50%
More than 50% and not more than 75%	25%

Such credits for benefit years which began in the calendar year nineteen hundred forty-one shall be applicable to nineteen hundred forty-two and credits for benefit years which began in nineteen hundred forty-two or thereafter shall be made for the calendar year in which the finding is made by the Department and no attempt shall be made to relate such credits to the period in which the reemployment occurred

(4) "Employer's Experience" means a percentage obtained by dividing the total wages paid by an employer to his compensated employes less any credit for reemployment during the last three completed calendar years by the total wages paid by said employer to all his employes during such three calendar years

(5) "State Experience" means a percentage obtained by dividing the total amount of compensation paid from the Unemployment Compensation Fund during the last three completed calendar years by the total wages of all compensated employes for such three years such percentage to be adjusted to the nearest multiple of one per centum

(c) The rate of contribution payable by an employer entitled to an adjustment between the minimum rate of one per centum and the maximum rate of two and seven-tenths per centum for each calendar year commencing with the year one thousand nine hundred and forty-four shall be determined prior to the due date of his first contribution for the year in accordance with the following table

Table

State Experience	Employer's Experience			
	Col. 1	Col. 2	Col. 3	Col. 4
6% or less	17	25	34	42
7	14	21	29	36
8	13	19	25	31
9	11	16	22	28
10	10	15	20	25

11	9	14	18	23
12	8	13	17	21
13	8	12	15	19
14	7	11	14	18
15	7	10	13	17
16	6	9	12	16
17	6	9	12	15
18	6	8	11	14
19	5	8	11	13
20	5	8	10	13
21	5	7	10	12
22	5	7	9	11
23	4	7	9	11
24	4	6	8	10
Rate of Contribution	1%	1.5%	2%	2.5%

(d) An employer's rate of contribution for each calendar year commencing with 1944 shall subject to adjustment as provided in clause (f) hereof be that specified at the end of the column in which on the line opposite the State Experience there first appears a percentage equal to or in excess of the Employer's Experience If no percentage equal to or in excess of the Employer's Experience appears on such line his rate of contribution shall be two and seven-tenths per centum

(e) No employer's rate of contribution for any calendar year commencing with 1944 shall be less than two and seven-tenths per centum unless all his contributions due on wages paid to the end of the third calendar quarter of the preceding calendar year have been paid by December 31st of such preceding calendar year

(f) Safety factor To assure an adequate balance in the fund to meet the benefit payments which may be expected the employer's rate of contribution determined in accordance with paragraph (d) of this section shall be adjusted in accordance with the following table if at the end of any calendar quarter commencing with the quarter ending March 31 1944 the balance in the Unemployment Trust Fund to the credit of the State of Pennsylvania is less than eight and one-tenth per centum of the total wages of all employes for the calendar year immediately preceding the determination

Employer's rate of contribution determined in accordance with paragraph (d)	1%	1.5%	2.0%	2.5%	2.7%
Balance in fund	Employer's final rate of contribution for employment in the previously completed calendar quarter				
8.1% or more	1%	1.5%	2.0%	2.5%	2.7%
8.0	1.1	1.6	2.1	2.6	2.7
7.9	1.2	1.7	2.2	2.7	2.7
7.8	1.3	1.8	2.3	2.7	2.7
7.7	1.4	1.9	2.4	2.7	2.7
7.6	1.5	2.0	2.5	2.7	2.7
7.5	1.6	2.1	2.6	2.7	2.7
7.4	1.7	2.2	2.7	2.7	2.7
7.3	1.8	2.3	2.7	2.7	2.7
7.2	1.9	2.4	2.7	2.7	2.7
7.1	2.	2.5	2.7	2.7	2.7
7.0	2.1	2.6	2.7	2.7	2.7
6.9	2.2	2.7	2.7	2.7	2.7
6.8	2.3	2.7	2.7	2.7	2.7
6.7	2.4	2.7	2.7	2.7	2.7
6.6	2.5	2.7	2.7	2.7	2.7
6.5	2.6	2.7	2.7	2.7	2.7
6.4 or less	2.7	2.7	2.7	2.7	2.7

(g) Pursuant to rules adopted by the department an employer who acquires an organization trade or business in whole or in part from another employer shall immediately notify the department and for the purpose of ascertaining the rate of contrbution of the succeeding employer his "Employer's Experience" shall include that of the prior employer as related to the whole or part of the organizaton trade or business acquired Such a succeeding employer shall receive full credit for the years during which the former employer made contributions as to the organization trade or business acquired

(h) The department shall promptly notify each employer of his rate of contributions for the calendar year determined as provided in this section and for each calendar quarter when modifications in rates are made in accordance with paragrabh (f) The department shall promptly upon written request from him furnish each employer with a statement showing the base year wages from such employer of each of his compensated employes the amount of benefits paid each of such employes and the period of unemployment for which they where paid The determination of the department shall become conclusive and binding upon the employer unless within thirty days after the mailing of notice thereof to the employer's last known post office address the employer files an application for review and redetermination setting forth his reasons therefor The department may if it deems the reasons set forth by the employer insufficient to change the rate of contribution deny the application otherwise it shall grant the employer a fair hearing The employer shall be promptly notified of the denial of his application or of the departments redetermination both of which shall become final and conclusive within thirty days after the mailing of notice thereof to the employer's last known post office address unless the employer shall appeal by petition from the action of the department to the Court of Common Pleas of Dauphin County within such time

(i) The petition filed in the Court of Common Pleas of Dauphin County shall set forth the reasons why the employer deems the rate of contribution determined by the department is incorrect No questions shall be raised in any such petition except such as were set forth in the application for review and redetermination by the department A copy of the petition shall be served on the Secretary or his deputy The court shall fix a time for hearing the petition and after hearing shall enter such order affirming or changing the rate of contribution determined by the department as to it appears just and proper From the decision of the court an appeal may be taken by the department or the employer to the Supreme or Superior Court as in other cases

(j) Pending the determination of the correct rate of contribution payable by an employer where an appeal to court has been taken the employer shall be liable to the payment of contributions at the rate as determined by the department But if the rate of contribution is changed by order of court then the department shall without application by the employer make an adjustment thereof in connection with subsequent contribution payments as provided in section 311 of this act or the employer may apply for a refund in accordance with said section

(k) The provisions of this Act shall become effective immediately upon final enactment and shall remain in effect for the duration of the present war and thereafter until the end of the calendar year in which occurs the beginning of the first regular session of the legislature which meets after the President of the United States declares that the present state of war no longer exists

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, this bill is known as a merit rating bill but it would really be better named if it were called a fund raiding bill. For years I have heard, every time we introduced legislation proposing to increase weekly benefits or the benefit period, that that would be a raid upon the unemployment compensation fund.

For the first time in the history of this Legislature we now find the employer group raiding the unemployment compensation fund. This fund was collected for the express purpose of paying workers when, through no fault of their own, they became unemployed. You are now saying that we are going to give back, as it were, something to a certain group of employers on the premise that they merit this particular consideration. That can not be true when measured against the facts surrounding this type of legislation.

The worst thing that has happened to this bill is the amendment that was made last Thursday, making it a war baby. If anybody were to have an ounce of reasonable thinking power and would study the provisions of this bill and then take the amendment that was added last Thursday, if he does not come to the conclusion that this is a downright political steal, then I say that person is not honest to himself or to the State of Pennsylvania.

Just let me give you my thoughts about this bill. I was prepared for this bill but I did not understand that they had enough votes to call it up today, so I will have to rely on my knowledge of this type of legislation which I have gained through the years I have been fighting this type of legislation.

I want to quote from an article in the New York Post dated Friday, April 9, and this is very pertinent to this particular question now before us. It reads as follows "Some war plant boom centers may soon turn into ghost towns"—here is the point I want you to get: "The American Car and Foundry Company in Berwyn, Pennsylvania, which made a special type of tank, is reported shutting down. Some three thousand of its employes have been dismissed."

What does that bring to your mind? You have a fund of approximately $350,000,000 and you are saying "that is too much money to put aside for unemployment relief; we are going to raid that fund; we are going to reduce the tax on special companies which have no fluctuating employment problem or which by the very nature of the business they are engaged in, have a so-called static situation in their employment; we are going to reduce their tax to 1.7 per cent," and I submit, members of the Senate, that the 1.7 per cent will not be 1.7 per cent because duringing this period of war time for which the bill is effective, we have a Federal Government income tax which will absorb all over nineteen per cent of the profits made.

I am assuming that every company will have this additional money that it will save as an added profit—I know that if the companies I am interested in are fortunate enough to be amongst the many that will get this so-called kickback, that the money that I receive in the interest of my company will be given to the Federal Government, all but nineteen cents, and I submit, members of the Senate, that it is ridiculous to destroy a fund that will be a lifesaver to the taxpayers of the State of Pennsylvania when our boys come back from the war.

Here is the case of one particular steel company in western Pennsylvania, which has 31,000 employes in the military service. They are pledged by law and by company policy to return those boys to their jobs when they come home from the war. That means that 31,000 of those now in temporary employment, if you please, will be returned to the unemployment compensation rolls. That means that that particular company, one of the largest steel companies, will consider that when this bill passes and instead of throwing its doors open to expansion for war purposes, will start considering the matter of unemployment compensation from a merit viewpoint and unless you pass some act of legislation here that will protect a type of company such as that, which is producing for the war effort, this is a deliberately unfair piece of legislation to companies that have opened their doors for expansion for war purposes, because you are penalizing them for doing the patriotic thing, while a few individual groups, a few laundries and a few bakery shops and a few mercantile establishments, which have no fluctuating employment problem due to the war, find themselves grabbing 1.7 per cent out of the unemployment compensation fund.

I further submit to you that the persons who will be aided by this legislation or the companies that will be aided and protected are not the companies which produce the payrolls which in turn make possible the very existence of those who will benefit without the basic payroll of production companies, because they are newspapers, they are banks, they are service utilities and they I submit are the only ones which can possibly benefit under this fund raiding proposition.

Leaving labor entirely out of the picture, we know that the General Assembly as now constituted would not pass any legislation giving additional benefits to employes—so therefore they can not raid the fund—and in their behalf and in behalf of one million boys who will be in the armed services by the time this war is over, from Pennsylvania, I say that you are being unfair, you are being entirely unfair, because you are closing your eyes to the stark reality of the unemployment situation that will face this state and this nation when this war is over.

Do you think for one moment, gentlemen, that you are going to be able to close the doors on the drain on this fund when this war is over? You say in this bill and you admit by the amendment that you have put into this bill that it is nothing but a steal, a downright steal, because you know, you know and you admit that you know, when the war is over one per cent will not carry the fund, and therefore in order that what you disburse will not be in a position of going to the men that the promoters of this legislation have promised would have to continue merit rating, you have said that this bill will only be in effect until the war is over or a short period after that and then, mind you, after the fund has been raided, after you have taken the surplus as it were, out of the fund, you place a 2.7 per cent tax on everybody again.

Do you think that the American people are so stupid as not to be able to see what you are doing? If you have the courage, if the promoters of this legislation have the courage, then pass a bill for all types on a merit rating proposition that can stand on its own feet. Why make it a war baby?

Certainly the fund will have a surplus during the war—it can not have anything else. Men and women are working producing war goods, eleven million soldiers will be in the armed forces, you will not have any unemployment problem during the war except in cases such as the one I have read, concerning companies that are no longer able to make equipment because of the fact that it has already become obsolete.

You will not have it during the war, so you say we will cut the tax down during the war, but immediately when the war is over—at least your timing is such—at the time the unemployment problem begins to be felt you say we will go back to a 2.7 per cent tax.

Gentlemen, that is not even an honest way to do business; that is not even a fair way to pass legislation. I take great pride in trying to know something about the sponsorship of this act. This act has been sponsored—maybe I should not say sponsored because it was sponsored by a member of this Senate and I do not in any way doubt his motives—but it has been promoted, if you please, in all the states of the union by a group headed by a man by the name of Cliffe, who represents the General Electric and other utility groups. They came to the State of Pennsylvania and said, "Why, we have this bill in Texas, that is where it was first put in, and a few other states," and I get to thinking to myself how in the name of decency and common sense can you compare the great Commonwealth of Pennsylvania, with its diversified industries and activities, to the State of Texas? How can you do that? New York State, which is a state that could be compared with ours very favorably, after a long study of this problem, with a standing committee that spent huge sums of money in their study, rejected, set aside any proposal for merit rating. It seems to follow a pattern that was started here—I do not know why—by this group in this state who believe that this is the time to destroy your surplus, when in fact every businessman knows that this is the time to build up your surpluses for the time when you need them.

Thousands of men in this state are employed in the coal industry, in the steel industry, at this time, who were not employed there prior to the war. Every one of those industries will pay a penalty for putting men on their payroll, and whom do you benefit? You benefit the bankers, you benefit, as I said, mercantile establishments, and newspapers, which do not have a fluctuating labor problem, and the 1.7 per cent does not amount to a fiddler's darn to most of the persons who benefit.

I do want to say this, so that the record will remain clear, I as a coal operator, my friends as steel operators, will receive the benefit of this, all right, they will receive the benefit because you are going to raid the fund and reduce everybody—I will say, almost ninety per cent of the contributees to the fund will receive the 1.7 per cent reduction from now until the war is over, and by that time you will have the fund down to about $76,000,000, or it can drop down to that amount under the terms of this bill—any statement to the contrary not being true—this fund can and will drop to approximately $76,000,000 if, as I believe will happen when the men come back from the armed services, you are going to have a major unemployment problem during the time of rehabilitation and readjustment.

You want to remember, gentlemen, that when the call goes out over the firing lines in this war and they say cease firing, the same order will be given to industry—cease firing—cease firing your boilers, pull your fires, cut down the steam, the war is over.

When that happens you are going to see that this fund which we have built up during the years will have to be much larger than it is to take care of the problem.

It does not make sense to me. Insurance companies do not follow this policy. They give you a dividend, yes, but I would like to have any man here that knows anything about insurance companies tell me something about the reserves that they have built up over and beyond any claims that can ever be made by policy holders. Everybody knows that is true of insurance companies, I submit to the authority on insurance, Mr. Wade.

You call this a filibuster. If I really did what I ought to do on this bill, on this one bill whose importance supersedes every other bill which has been before this Legislature this session—this is one bill that means more to the welfare of Pennylvania than any other act that has been before us, because I have heard on this Senate floor condemnation of the Federal Government in its handling of the relief load, coming into Pennsylvania with W.P.A. and other agencies, and yet you are now setting a course so that the Federal Government sits at the table and deals the deck out, because you will not have money to take care of your unemployment problem, you will not have the money to do the job we ought to do as a state with sovereign rights and sovereign integrity.

Gentlemen, pass this bill if you wish—we can not stop you, we do not have enough votes; you have the votes. On many occasions here you have stepped on the rights of the minority. You believe in the right of the majority to rule. I do too, but, gentlemen, I do not believe in the right of the majority to ruin.

Mr. WOODWARD. Mr. President, I would like to ask the gentleman from Westmoreland two questions, please.

The PRESIDENT. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. DENT. I will, sir.

Mr. WOODWARD. I do not want to interrogate him for long. This pool or fund of $350,000,000, why is is that the Federal statute differentiated, drew a deadline at employers of less than eight, and why is it that New York state, which the gentleman from Westmoreland said is comparable to Pennsylvania, made a like exemption, not eight, but of employers of five, I think it is. Those are expenditures, you say, from that pool and I would like to know why in a state like New York such a provision was made.

Mr. DENT. Does the gentleman from Philadelphia want me to answer that?

Mr. WOODWARD. I am asking that in all sincerity, Mr. President.

Mr. DENT. I can not speak for any other state, but as to the State of Pennsylvania, we in Pennsylvania felt that by including employers of one or more we were doing exactly what we intended to do from the beginning, build up a fund from those who would benefit from unemployment compensation benefit payments being paid to the unemployed. Mr. Woodward, you must realize—

Mr. WOODWARD. Senator Woodward.

Mr. DENT. I beg your pardon but in America, to me, Senator Woodward, the greatest title that is given to man is Mister—not Senator or President.

Mr. WOODWARD. All right.

Mr. DENT. Senator Woodward, a person who works in the coal mines and receives unemployment compensation does not buy coal with it; that person goes out and buys food, he buys clothing, he buys utility services and he buys the necessities of life, and so, therefore, in order to insure to that man a decent rehabilitation payment through unemployment compensation, it was decided that the wisest thing to do would be to include all employers because this is not only an economic measure, it is in a sense a social measure.

Mr. WOODWARD. Then, Senator Dent, you can not answer the question as to why New York State made an exception of employers of less than four or five or three?

Mr. DENT. Because New York state, at the time they passed the law, felt that would build their fund up sufficiently. The federal government left in the eight person requirement because they realized various states had various problems and they did not want to make provisions in that act so that they would impose any burdens on states such as Oregon or the mid-western states where farming and so on are the main industries.

Mr. WOODWARD. Mr. President, this pool of $350,000,000 is that lodged in Washington?

Mr. DENT. I imagine that fund itself is kept in escrow. The Federal government has provided for that.

Mr. WOODWARD. Between ourselves in confidence, can you tell me about the danger, of the Federal government spreading this pool all around the country, taking our money and sending it for payments, for instance, in that little state of Texas.

Mr. DENT. I can not answer that, sir. I have great faith in our democracy and our manner of providing laws, and I do not believe that the Federal government will ever do anything that will injure our state.

Mr. WOODWARD. That was a sincere question. I was not trying to put you in the middle.

Mr. DENT. I might say, Mr. President, that the state of New York has a fund of over $500,000,000 and rejected merit rating.

Mr. HOMSHER. In the first instance, Mr. President, I want to say that this bill is not a war measure. This bill has been under consideration by the Legislature of Pennsylvania since 1939; it was studied by the Joint State Government Commission, which made recommendations to the Legislature that attention be given to merit rating.

Merit rating, or unemployment compensation, began with the Federal Congress, and first payments became effective in 1936, that is, from the employer.

In the consideration of that bill it was recognized that it was something new in the United States, there was no yard stick to measure by and nothing to furnish information by which the Congress knew what rate to fix. They fixed a rate of three per cent, which was the total rate, and three tenths of one per cent was allowed for administrative expenses, paid to the Federal government, and 2.7 per cent paid into the unemployment compensation fund to be distributed under a schedule of grants.

Congress realized at that time it did not know whether 2.7 per cent would be sufficient or in excess of the required amount. It was even suggested on the floor of the Senate, when the bill was being discussed—and for that reason it was written into the bill—that the forty-eight States could experiment with this matter, they should try it and if they felt the rate was too high they could resort to what is known as experience or merit rating. Thirty-eight states have already adopted a merit rating schedule, some under plans somewhat different from what we have here—some have reduced the rate, where employment is perfect, to no compensation payments by the employer at all, that is, in premiums. Under this bill there are limits fixed.

The thirty-eight States that have this bill are satisfied with it. There was some talk of dissatisfaction in Wisconsin, which has an exceptionally low rate, and their intention is to increase that low rate.

We have in Pennsylvania at the present time a surplus of over $350,000,000 in the fund and with employment continuing for another year the surplus in the fund will amount to nearly $500,000,000, which it is felt is very sufficient to meet all the needs of the fund, together with payments which will be paid by employers wholly to increase the surplus.

Estimates have been carefully made as to what might happen when the war is over, and I think it is safe to say that they have been carefully made. This bill is so safeguarded with its schedules that when the surplus or the amount in the fund is reduced to less than 8.1 per cent of the total payroll in Pennsylvania, the rates go up certain percentages, depending upon what per cent of the total Pennsylvania payroll is in the fund.

I can see no harm in this bill, because immediately the surplus goes down the rate goes up. As I have stated, careful calculations have been made as to what might happen with heavy unemployment. The fund is well stabilized, I think, with those precautions. There is a provision in this new bill, and in addition to that an amendment was added, and I think rightfully so, that if it is shown that this fund does go down more than is expected, they will restore the 2.7 per cent paid into the fund without any additional legislation. If it proves satisfactory, which I believe it will, the next Legislature will take up the matter again and either continue this form of experience rating or drop it.

I see nothing wrong, as the Senator from Westmoreland stated, that a representative of the General Electric Company supported the bill. Any industry in Pennsylvania whose organization or officials believe in unemployment compensation have a right to come into Pennsylvania and advocate a bill, when they have ten manufacturing plants within the state and are vitally interested in this subject.

Unemployment, as I say, has been carefully studied. When this war is over we believe there will be sufficient money in the fund to take care of all needs.

There is another thing we must take into consideration. The State of Pennsylvania and the Federal government are now studying post-war planning and they are arranging to provide as much employment as is possible through public construction and other ways. Are we to have no faith in this planning? Do you believe that we will not gain experience from the disastrous results which occurred after the last World War? Surely we are not going to have a depression of that kind. I think we are fortifying ourselves against that in every way possible. In fact, the depression did not appear until many years after the last war. The war was concluded in 1918 and the depression did not begin to appear until 1930, or over ten years afterwards. Is it supposed that we are going to continue to pay into this fund heavy surpluses to continue the fund up to probably a billion or a billion and a half dollars, and then it will not be used. Should not those funds be put to better use than lying in a surplus fund in Washington?

Industry, even if it pays back taxes, and it does, those taxes help the Federal government in emergency, and the balance which is left over can be used by the different industries in experimentation and searching out new inventions, new commodities to be manufactured and in studying added efficiency of their plants. Those things must all be considered in studying this bill.

I do not believe that it is necessary to go into a long history of the calculations and methods used in the bill, because that would be hard to explain on the floor of the Senate, and I do not believe it would be understood. By reading the bill you will have to go into the act itself and find out the methods of calculation, and if any one desires to do that I feel sure that they are safe and sound and I think the Senate would be doing a wise thing in supporting this bill.

Mr. WOODRING. Mr. President, I realize that the voting minds have been already committed; no matter what I say or other members of the Senate say this morning, the vote is going to be recorded as it was when we walked into this hall this day. I therefore will refrain from any extended debate, but I do want to say that I personally am very sympathetic to experience rating in unemployment compensation. I think there is a lot of merit in the principle of experience rating. I think some day the Assembly of Pennsylvania ought to adopt it into our law, but I want to point out to the members of the Senate that this is a very dangerous time to adopt experience rating, in view of the certain lay-off from employment of very large numbers which is bound to come at the end of the war.

I have one industry in my county which employs upwards of thirty thousand men. The normal working complement of that company is about ten or twelve thousand and the depression complement of that company was about six or seven thousand, so that after the war we can very easily contemplate that that particular industry—and it is only one of many—is going to have a lay-off of upwards of 22,000 or 23,000 men, most of whom, if not all of whom, will be recipients from this fund which we are by this act now restricting its further growth and development, so that I say while I personally may be very sympathetic to experience rating, yet my vote on the bill today and this session must be "no."

Mr. WADE. I assure you, Mr. President and my colleagues that I shall not be very long and I will also guarantee that I will not use any technical figures. However, I do not agree with the statement of the Senator from Northampton, Mr. Woodring, when he said that he believed that the votes were already determined when the members came into this Senate.

I think that is absolutely unfair, and I think when the vote for this measure has been recorded it will indicate the opinions on this side beyond a question of any doubt, and I will not make any statement at all about the other side.

First let us just review this matter. This fund was created in substance because employers of Pennsylvania and America have said to their employes "we will take a certain portion of our money and set it aside as a reserve fund to meet future unemployment." That fund is built entirely by contributions from employers.

Secondly, this measure that we have now before us that would amend the original act is a measure that would tend to make employment permanent.

In other words, we have in automobile insurance and other forms of insurance certain rewards for safe driving, in automobile insurance, and if fire loss records are favorable in certain districts, fire insurance premiums are more favorable than in other districts where fires are more frequent. We have those same things in all plans, whether they are reserve plans or insurance plans or what not, to reward the person, the employer, or whoever it may be that shows a good experience, and this bill would tend to do that exact thing.

It is certain, of course, that some employers are favored by being in a business where employment is more favorable, more permanent, where their business is not seasonal, and where they can retain the same employes year in and year out almost on a level basis.

The fact that this bill has been amended to make it a war measure is sort of misleading—I agree with the gentleman from Westmoreland, Senator Dent. However, the sponsor of the bill agreed the other day in conference that was the way to write into the bill that we should experiment with this merit rating system for a period of two years, and at the same time I say again, as my colleague has said, that is purely automatic, because if we have bad experience we will revert right back to the present status of the law.

In the seventeenth century men on this globe devoted about seventy-five percent of their time and energy to the promotion of war; in the eighteenth century that was cut to fifty per cent and in the nineteenth century it was cut to twenty-five per cent. We think we are in unusual times now because we are in a war, and that is true, but every time we are passing through a period of any kind whatever we do not think it is normal. We think it is unusual, this period we are going through, even though employment is up and may continue to be up, because everything is being done, I believe, by the Federal government to prevent inflation and to make it possible for employment to continue on a high level. Therefore this is just as good a period as any time at all to experiment and merit rating has been adopted—which has been adopted, I repeat—and which the gentleman from Lancaster, Senator Homsher, has stated has been adopted by thirty-eight states—and the obligation of this body as we vote on this measure is to say to other states of the Union and to the Federal government, "we will keep our fund not at a certain level in dollars, but we will keep our fund at a comparable basis to that of the other states of the Union, so that if the Federal Government should decide, on account of certain products we use in our everyday life being produced in certain sections of America, this fund should be spread over a larger basis, over the entire United States, then our fund will compare favorably with funds of all other states.

We do not have any experience. We go back in our experience only to 1938 and we do not have any satisfactory experience to base rates on. We were taking a step in the dark when we passed the original issue, and also when we pass this measure, but it is a step, and members of the Senate, it is a step trying to find out where a satisfactory base exists.

Mr. STIEFEL. Mr. President, I too am of the opinion of the Senator from Northampton, Mr. Woodring—I am attempting from a scientific viewpoint to cast my vote on this measure, but on the other hand there is some misgiving which militates against this measure. I have in my hand a book recently released by the Pennsylvania State College entitled "Pennsylvania State College Studies, No. 11, Industrial Trends in Pennsylvania since 1914."

According to statistics which are covered in this book and which are very impressive, one gathers that Pennsylvania is declining industrially not because of taxation, not because of other reasons, but simply because the center of gravitation of industry is moving westward and Pennsylvania has been steadily losing. If we adopt today this measure, what protection do we have for the future, if this constant process of decline will start again after this war is over?

I believe that the story of Joseph, who provided during the seven fat years for the seven lean years, should apply today and we should provide more money in this fund against the industrial decline which will begin after this war.

For that reason I am going to cast my vote in the negative.

Mr. HEYBURN. Mr. President, I am not going to consume much time of the Senate; I know probably too much talking already has been done about this matter, but there are a few observations I would like to make in connection with some of the speeches that have been made, especially by my good friend, the Senator from Westmoreland, Mr. Dent.

He talked about an amendment in the bill to provide that it expire at the next regular session, after the President's declaration of peace. Of course, that amendment was inserted in the bill. Mr. President, those companies which he claim will be helped by the bill, the original sponsors of this bill, had no idea of any such amendment and they had all the courage in the world as far as making this thing permanent was concerned.

The gentleman from Westmoreland also said that after the war every soldier would be back here in Pennsylvania which would cause this tremendous shift in employment. Everybody in this Senate well knows that after this war is over there will be a tremendous policing job to do, as there was after the last war, only it will probably be ten times as great after this war, and our soldiers will come back not all at one time but over a period of several years.

Mr. President, the gentleman from Westmoreland also talked about the original promoters, as he called them, of this idea. He talked about a certain Mr. Cliffe, I believe the name was, from the General Electric Company, which he called a utility. As a matter of fact, Mr. President, the General Electric Company is not a public utility; it is a manufacturing concern with very widely diversified operations.

Nobody in Pennsylvania, Mr. President, is the original promoter of experience rating. The original promoter of experience rating, Mr. President, was His Excellency, the President of the United States, Franklin D. Roosevelt, because in the first unemployment compensation law provisions were made for experience rating, signed by President Roosevelt many years ago. Therefore, Mr. President, the gentleman from Westmoreland was wrong when he said that the promoters were the General Electric Company and certain other utilities.

The gentleman from Westmoreland talked about companies being aided, Mr. President, by this thing, which would save money on unemployment compensation contributions, and then pay it to the Federal government. That is true of corporations in the excess profits field, they will pay taxes to the federal government, and that money will go to the prosecution of this war. But, Mr. President, all small business men, of course, do not fall into that class and they will have substantial savings.

Another thing which has been overlooked here today, Mr. President, is this, that thirty-eight states in the Union have unemployment compensation experience rating and for us not to have it, Mr. President, puts us in a position of not being able to compete with those states after the war and anyone, it seems to me, interested in progress in Pennsylvania must realize that we must be in a position to compete with industries of the thirty-eight states which have experience rating.

When questioned by Senator Woodward, the gentleman from Westmoreland said that the reason employers of less than eight employes were taken into this Pennsylvania law was because they wanted to help the fellow who worked for somebody that employed less than eight and therefore the Pennsylvania law is out of conformity in that particular with the federal law. The real reason, Mr. President, and I am not saying, I am not in favor of taking care of employers of less than eight—every employe I think ought to be covered in the Commonwealth—but the real reason is because of the uniformity clause in the Constitution. That is the reason every employe is covered.

Mr. President, I would just like to read a couple of paragraphs if I may, from a Mr. Atkinson, Administrator of the Bureau of Unemployment Compensation of the State of Ohio. I will not take time to read this letter in full, but any members of the Senate who desires to read this letter in full may do so later.

Here is one paragraph, Mr. President, which is particularly interesting to me, which reads "We have been particularly impressed in Ohio with the fact that an important percentage of employers do seek to stabilize their employment, and do seek to regularize their operations in such a way as to eliminate unnecessary or unsound benefit charges. Our belief is that this is beneficial to the worker too, since it results in more regularized employment for him and far less frequent periods of unemployment.

"Perhaps the most important of all, from an employer's standpoint, is the manner in which merit rating polices the entire unemployment compensation operation. Employers can and do check on payments made by the state to individuals, because such payments directly affect their future tax rates. The agency is enormously assisted in detecting fraud and is constrained to eliminate loose practices and sloppy operation in general."

"It is the conviction of many observers in this field that untold millions of dollars have been paid out improperly in states which operate without the merit rating feature in their law. This does not imply any criticism of the officials operating such agencies; it is humanly impossible to do the policing job with the facilities available to an agency, where the employers have no reason to scrutinize the operations for accuracy and the correctness of its methods."

Mr. President, I will also read a couple of paragraphs from that great liberal newspaper, the great New Deal Democratic newspaper in Pennsylvania, the Philadelphia

Record, from an editorial of March 20, 1943. The heading reads "Pass the Merit Rating Bill; Better Late Than Never."

"Nearly two years ago the Record urged a 'merit rating' system which would put Pennsylvania's unemployment compensation on a real insurance basis."

Another paragraph, Mr. President, I should like to read is as follows: "If employers knew they could save two-thirds of their present unemployment insurance payments by putting their personnel system on an even keel—most, if not all, would find it well worth while. Thus the new bill would benefit both employer and employe."

Mr. President, the gentleman from Westmoreland also spoke about the danger to the unemployment compensation system because he said the fund would probably be reduced by experience rating. As the bill is now drawn, Mr. President, the floor in this bill is 6.4 per cent of the previous annual payroll, which would mean about a $320,000,000 balance minimum. I would like, Mr. President, to give a few figures. I have no personal interest in this bill.

In 1938 benefits were $71,553,000; in 1939 benefits were $54,594,000; in 1940 benefits amounted to $44,260,000.

Let us take the maximum amount, Mr. President, which was in 1938, $71,000,000, and when you divide that into $320,000.000 you will see it goes pretty nearly five times. In other words, Mr. President, the floor, the absolute minimum, would be almost five times the maximum benefit payments in any one year. Aside from that, Mr. President, there is always a great inflow into the fund, due to contributions every year, regardless of how bad business gets. There is always the lowest rate of contribution.

Let me read you the figures. In 1937 contributions amounted to $70,000,000; in 1938 they amounted to $70,000,000; in 1939 they amounted to $95,000,000; in 1940 they amounted to $132,000,000.

So you see, Mr. President, there is a real reason for every one to believe here that this floor in the fund will guarantee pretty near absolute protection for the employes of the Commonwealth.

I do not want to take up any more time of the Senate, Mr. President, but I did want to place an answer on the record to the statements of my good friend from Westmoreland, Senator Dent.

Mr. DENT. Mr. President, I do not want to hurt anybody's feelings by talking too long, but as I understand parliamentary procedure, this is a debatable question, and therefore I am entitled to all the time necessary to clear up doubts contained in the minds of the members.

First of all I want to state to the gentleman from Delaware, Senator Heyburn, that I got the inference from his remakrs that he has no personal interest. Every man in this Senate who has one cent's worth of stock in any company that hires more than one person has an interest in this bill, as much as I have or anybody else has that might own stock of any operating company, so we will get that straight. I do not like the inference that I have a personal interest and that I would probably be one of the gainers under this bill.

Mr. Heyburn also stated that the uniformity clause of the Constitution was the basis upon which we passed the act for one employer or more. If that uniformity clause applies in that particular instance, then the uniformity charge against employers must also comply with the Constitution, to my mind as a layman and not a lawyer.

As far as quoting the Philadelphia Record is concerned, it has often been said that the devil can quote the scripture for his own good, and again I say to the Republican Majority Leader when he leans upon the Democrats or upon anything the Democrats do for an excuse or for the purpose of passing any legislation, I again become suspicious of that legislation.

Some reference was made concerning a Mr. Cliffe of the General Electric Company. The Senator from Delaware knows full well that years ago when we studied this, I too was a member of the committee that was studying it, and the man who promoted the legislation and spoke to us, when no other man on the committee knew anything about experience rating was Mr. Cliffe of the General Electric Company. I do not say that he was wrong in doing so—I think he is an admirable man and I think he is working for the interest of his own people to the best of his ability; that is his job and he is doing it.

I, too, am working in the interests of working men and women of the state of Pennsylvania, who are first mortgagors of this fund, and not the employers. This is not an employer's compensation fund; it is an employe's unemployment compensation fund.

The gentleman from Cumberland, Senator Wade, seems to lose sight in his construction of the figures pertaining to this particular legislation—and as an insurance man he only took into consideration the economic view point or the statistical view point, and he set aside the social view point, the primary factor in the passage of this legislation.

I think that it was the gentleman from Lancaster, Senator Homsher, who said that there were rewards for certain companies. What rewards will there be for the steel companies in the State of Pennsylvania, which have an inflated employment status today of anywhere from 60 per cent to 250 per cent; where will their reward come in? I will tell you where it will come in. It will come in through the provision of the act that makes it effective during the war, because the period during the war, gentlemen, will be a low unemployment period and they will receive a sort of rebate, as it were, or a reduction in taxes. I want to tell you another reason for making this deal effective for that period of time. In no other state of the Union where this kind of legislation is in effect is there such a proposition as a ceiling on the tax that can be charged. You know that it is unsound to give merit benefits to one group without penalties on the other group. That is not sound business.

If you say that this bill will stabilize employment, again I refer you to the coal industry or the construction industry or the steel industry or other basic industries. A contractor who gets a contract for the so-called public work which the gentleman from Lancaster has so much faith will cure our unemployment after the war, that contractor is the man you are penalizing, the man who will do the public work, because all his work is of its own nature a seasonal occupation, he will always pay the maximum rates under this bill. Everybody knows more coal would be used during winter months by domestic consumers than during the summer months, and yet you say you will stabilize employment.

Yes, in a sense you may, but in so doing you are stopping expansion, you are stopping or shutting the door in the face of part time employment during lean months. Companies will operate on a basis of a minimum payroll. Companies with payrolls like big merchants operate under are the people that will benefit under this bill because, you see, they have a skeleton or a static payroll, and then, during rush seasons they employ help on the basis of temporary or part time clerks. They will not pay the maximum, they will pay the minimum, or they would not pay anything. They could not pay anything if the basic industries did not provide the payrolls that are the cause of their existence.

You say you have a surplus of $350,000,000. Let us call it what it is. Do you mean everything paid in that fund is surplus? Is there no figure that can be used as a basis of legitimate reserve? Is every cent in this fund a surplus? Well then, perhaps you want to put it on a pay-as-you-go plan. Why carry the fund at all? According to your arguments you could work it on a monthly basis and have the tax fluctuate with the monthly need, if that were sound economics.

Something was said by Senator Stiefel regarding the declining of permanent employment in the State of Pennsylvania. Every man in this room knows that a major industry when this war is over will be the airplane or aviation industry and its allied trades and subsidiary groups. What has been done in Pennsylvania to bring to Pennsylvania that particular industry? Every man in this room knows that Detroit, the mid-west and the far west will be the site or the hub of the aviation industry, and when this war is over you are going to find we are going to have an unemployment problem in this state of ours that will astonish you.

The gentleman from Lancaster, Senator Homsher, has said that a careful study has been made of the unemployment problem. I desire that Senator Homsher will answer me this question: what do you believe, after your study, will be the percentage of drain upon this fund the first month, the second month, the third month, the fourth month, after the war is over? What does the gentleman from Lancaster believe will be the percentage of unemployment when the war is over?

I appreciate, of course, the compliment paid by the Senator from Cumberland, Mr. Wade, to our Federal Government, because that is sweet music to the ears of those of us who belong to party that is now administering the Federal Government; it is music to hear somebody say that through the wisdom of the federal government planning for the post-war period they are going to see to it that we are not going to have a depression when this war is over. I appreciate that and thank the gentleman, although he might be criticized when he gets into his Caucus.

I also appreciate the proposition that your minds are open. Perhaps if your minds are open there might be a few ears over there that might believe what I am saying is the truth, that Pennsylvania can not stand an unemployment compensation merit rating plan. Our industries are too diversified. We are not an apple growing state in the sense that is our major industry, we are not a steel state in the sense that is our major industry, we are not a textile state because that is not our major industry; we are composed of all these things. We have all the problems, we have the problems of the basic industries with their fluctuating employment, we have the problems of the so-called service industries with their static employment.

You here are passing legislation, gentlemen, in favor of the so-called parasitic payrolls as compared to the creative payrolls.

Mr. HOMSHER. Mr. President, I want to state now on the record that the State of Ohio is unquestionably comparable with Pennsylvania, and statistics from Ohio show, considering all the various industries of Ohio that at least 75 per cent, even taking into consideration the worst, the construction trades, benefit by experience rating; and of the iron and steel industries in Ohio 96.5 per cent of those industries benefit through experience rating.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Ealy,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Kephart,
Letzler,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—12

Barr,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. DENT. Mr. President, I just want the record to note that the minds of the members on the other side were closed to this proposition when they came to the Chamber.

SENATE BILL No. 345 CALLED UP FOR RECONSIDERATION

Mr. THOMAS B. WILSON. Mr. President, I call up at this time Senate Bill No. 345, Printer's No. 199, on page 2 of today's calendar, for reconsideration.

RECONSIDERATION OF SENATE BILL No. 345

Mr. THOMAS B. WILSON. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 345, entitled:

An Act to further amend the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers; including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," further regulating the right to, and procedure on, appeals to court

was defeated.

The PRESIDENT. How did the Senator vote?

Mr. THOMAS B. WILSON. Mr. President, I voted "nay."

Mr. WALKER. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. WALKER. Mr. President, I voted "nay."

The motion was agreed to.

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 345, entitled:

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively, creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further regulating the right to and procedure on appeals to court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (d) of section seven of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes to be exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" as amended by the act approved the ninth day of June one thousand nine hundred thirty nine (P. L. 293) is hereby further amended to read as follows

Section 7 Representatives and Elections

* * * *

(d) Whenever an order of the board made pursuant to section eight subsection (c) is based in whole or in part upon facts certified following an investigation pursuant to subsection (c) of this section and there is a petition for the enforcement or review of such order such certification and the record of such investigation shall be included in the transcript of the entire record required to be filed under subsections (a) or (b) of section nine and thereupon the decree of the court enforcing modifying or setting aside in whole or in part the order of the board shall be made and entered upon the pleadings testimony and proceedings set forth in such transcript [an appeal may be taken from any certification although not a final order either immediately or within fifteen days of its issuance or after some final order has been entered as provided in section nine of this act but an appeal from an order which is not final shall neither stay nor supersede any proceeding pending before the board unless so ordered by the court]

Section 2 Subsection (b) of section nine of said act as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 293) is hereby further amended to read as follows

Section 9 Judicial Review

* * * * *

(b) Any person aggrieved by a final order of the board granting or denying in whole or in part the relief sought or by an order certifying a collective bargaining agent of employes may obtain a review of such order in the court of common pleas of any county where the unfair labor practice in question was alleged to have been engaged in or wherein such person resides or transact business by filing in such court a written petition praying that the order of the board be modified or set aside A copy of such petition shall be forthwith served upon the board and the board shall file in the court a transcript of the entire record in the proceedings certified by the board including the pleadings and testimony and order of the board Upon such filing the court shall proceed in the same manner as in the case of an application by the board under subsection (a) and shall have the same exclusive jurisdiction to grant to the board such temporary relief or restraining order as it deems just and proper and in like manner to make and enter a decree enforcing modifying and enforcing as so modified or setting aside in whole or in part the order of the board and the findings of the board as to the facts if supported by substantial and legally credible evidence shall in like manner be conclusive In all cases of review to the Supreme Court of Pennsylvania under this act the appellant may print a transcript containing an abridgment of the record in narrative form as far as necessary to present the questions for decisions Such printed transcript shall refer to the page of the original trancript and record certified by the board which original transcript shall be filed with the Supreme Court

Section 3 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Mr. THOMAS B. WILSON. Mr. President, most of what I intend to say is with deference and with respect to the gentleman from Westmoreland, Senator Dent, because yesterday he made an inquiry concerning this bill. The only thing this bill does is to take out of Section 7, Clause (d), the provision allowing an appeal, and I will tell the gentleman from Westmoreland, because he asked me yesterday, the purpose of that was the fact that where this was in clause (d) of Section 7, it had been criticized by the courts as ambiguous and inquiry had been made a great many times. I want to say that it is taken from that section and inserted in Section 9, Clause (b), giving anyone who is aggrieved by an order certifying a collective bargaining agent of employes the right to appeal.

It does not affect the bill or the law of Pennslyvania in the slightest degree, excepting that it is taken from one clause and put in another, because of the fact that the courts have criticized the clause where it was as being ambiguous.

Another question was raised by the gentleman from Philadelphia, Senator Shapiro, and I now want to answer that, that is, under this bill the right to a supersedeas is not affected because it remains a supersedeas when the court allows it. That is all the bill does. It takes the ambiguous language out of one clause and puts in it clear language in another place and does not affect the law of Pennsylvania except to make it clearer and put it in a more proper place and leaves the right of supersedeas, where the court allows it, as it is now.

Mr. DENT. Mr. President, I do not want to seem to be obnoxious but somebody has to do some of the answering on these problems. Before I do, after this last vote and after this reconsideration vote and other things, I just want to read this one statement to you in order that that may perhaps bring to your minds on this day, which is being commemorated by Pennsylvania as the birthday of Thomas Jefferson, and to you folks who over on that side claim him as the foster parent of your party, I would like to read this one remark before I start my remarks on this bill. This is from a letter to a Mr. Bidwell, and it reads as follows:

> "There never was a time when the services of those who possess talents, integrity, firmness, and sound judgment, were more wanted in Congress. Some one of that description is particularly wanted to take the lead in the House of Representatives, to consider the business of the nation as his own business, to take it up as if he were singly charged with it, and carry it through."

I want to say that because we are losing sight of the fact here that we are legislators or law-makers for all the people of Pennsylvania, and are moving directly into the channel of party politics, the thing that Jefferson abhored, and the thing Washington cried out against.

Now, Senator Wilson, you say that the change you describe is made in the bill, and I agree with you, I think that it is a perfectly good change, and a wanted procedural amendment. However, on page four, a clear analysis of lines 26 and 27 has this effect upon this act; you say those entitled to judicial review are described in section (b) as Any person aggrieved by a final order of the board granting a denying in whole or in part the relief sought may obtain a review of such order in court, and you have added the following words, after the word sought "or by an order certifying a collective bargaining agent of employe."

This has an effect I do not believe the gentleman from McKean knows, is being done by the bill, because if he knew he would tell me so. I believed him and still do believe that he was given the bill by the department as a procedural change much needed in the administration of the act, but this is what this line does, "any person aggrieved by a final order of the board granting or denying in whole or in part the relief sought or by an order certifying a collective bargaining agent of employes." The Federal Labor Relations Board holds elections in the state of Pennsylvania, for the certification of a bargaining agency, and if an employer who is brought before the State Labor Relations Board by a collective bargaining agency takes the position that he is aggrieved by the order that certified that particular employe group, and he is not qualified to seek so-called judicial review of the board, what happens to the case, when one of the litigants does not appear? What is the use of making the appeal?

I am telling you that the sneaker in this particular bill is to destroy the appeal of employes when an employer wants to get out by saying that his case is not a proper matter for judicial review, because he is aggrieved by the certification of his collective bargaining agent, and that is the interpretation that I, and others who are learned in the law—I not being a lawyer—says that is exactly what happens. If that is not the case, then why are these lines put in the bill?

Mr. THOMAS B. WILSON. Mr. President, I have a great deal of respect, as does everyone, for the honesty of the gentleman from Westmoreland, Senator Dent, and his interest and his fairness, and I would like, if I may, to say this to him and to the Senate, that yesterday I went over not only to the department, but I went over to the Legislative Reference Bureau, and I left the bill with them and I said I would not put my name on the bill if the department or anyone else had a sneaker or anything in it that did not appear on the surface, I would not be guilty of any miserable, slimy, sidestepping political trick, and nobody could use my name for that If I could help it. This morning they came back to me with the very thing Senator Dent speaks of, and I am sure it does not do it, Senator Dent, I am sure that all it does is to transfer the right of appeal from one section, containing ambiguous language, to another, and that it leaves the right of supersedeas still subject to the order of court, as Senator Shapiro says.

Mr. President, I can not see in it the danger that Senator Dent speaks of, after I studied it very carefully yesterday, and after I submitted it to the department, and after I submitted it to the Legislative Reference Bureau, with the request that they tell me straight and honestly whether or not there was anything in this that was not proper.

Mr. EDMONDS. Mr. President, may I inquire of the gentleman from McKean, Senator Wilson, if this bill is supposed to correct a decision of the Supreme Court sometime recently which held that the Labor Relations Board had no right of appeal of its own.

Mr. THOMAS B. WILSON. It does not. It is purely a routine correction of a situation where the language is so ambiguous, and putting the clause in the proper place, and leaving the law as it was, so that it is clearly defined that any party aggrieved may appeal, and leaving the right of supersedeas subject to the order of the court.

Mr. COX. Mr. President, there is still a great deal of confusion on this side among the lawyers, and I am making this request, because we are sincerely interested in this particular bill, whether the gentleman from McKean, Mr. Wilson, would be willing to have this bill go over until tomorrow.

Mr. THOMAS B. WILSON. Mr. President, I can not do it. I would like to do anything that the gentleman from Westmoreland, Mr. Dent, asked me and I think he knows that, and Senator Cox, but Mr. President, I can not do it. This bill has been on the Calendar it has been defeated and I understand the bill was thoroughly studied. There is nothing to it but pure routine, making a procedure clear, and I am sorry, but I can not agree to have it go over until tomorrow.

Yesterday, Mr. President, I did put it over at the request of the gentleman from Philadelphia, Senator Shapiro. I have never refused a request of this kind, but we now have this thing where it is ready to vote on, and in this very peculiar parliamentary situation and not knowing what will happen tomorrow or any other day, I have to ask that the roll be called.

I am sorry, Mr. President, and I think the gentleman from Allegheny, Senator Cox, knows that I would not be so ungracious as to refuse such a request under ordinary circumstances.

Mr. COX. Mr. President, many of us on this side will be put in a position, because we are not completely satisfied as to the interpretation that will be placed on this act later by these amendments, because of this doubt that we will have to vote against the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Kephart,
Letzler,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—13

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 135, PRINTER'S No. 51 CALLED UP FROM TABLE

Mr. CROWE. Mr. President, I call from the table Senate Bill No. 135, Printer's No. 51, recalled from the Governor.

RECONSIDERATION OF SENATE BILL No. 135

Mr. HEYBURN. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 135, entitled:

An Act to amend section seven hundred sixteen of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances.

passed finally,

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye".

Mr. CROWE. Mr. President, I second the motion.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. CROWE. Mr. President, I voted "aye".

The motion was agreed to.

BILLS RECOMMITTED

Mr. CROWE. Mr. President, I move that Senate Bill No. 135, on final passage be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 272, PRINTER'S No. 245 CALLED UP

Mr. HEYBURN. Mr. President, I call up for action at this time Senate Bill No. 272, Printer's No. 245, on page 6 of today's third reading calendar.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 272, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of electing representatives of the people of Pennsylvania to serve in the House of Representatives in the Congress of the United States this Commonwealth shall be divided into thirty-three districts which shall have one congressman each as follows

The first district shall consist of the first second third fourth twenty-sixth thirtieth thirty-sixth thirty-ninth and forty-eighth wards of the city of Philadelphia

The second district shall consist of the twenty-seventh thirty-fourth fortieth forty-fourth forty-sixth fifty-first and fifty-second wards of the city of Philadelphia

The third district shall consist of the fifth sixth seventh eighth ninth tenth eleventh twelfth thirteenth fourteenth fifteenth sixteenth seventeenth eighteenth nineteenth twentieth twenty-fifth thirty-first and forty-fifth wards of the city of Philadelphia

The fourth district shall consist of the twenty-fourth twenty-eighth twenty-ninth thirty-second thirty-seventh thirty-eighth and forty-seventh wards of the city of Philadelphia

The fifth district shall consist of the twenty-third thirty-third thirty-fifth forty-first and forty-third wards of the city of Philadelphia

The sixth district shall consist of the twenty-first twenty-second forty-second forty-ninth and fiftieth wards of the city of Philadelphia

The seventh district shall consist of the county of Delaware

The eighth district shall consist of the counties of Bucks and Lehigh

The ninth district shall consist of the counties of Lancaster and Chester

The tenth district shall consist of the county of Lackawanna

The eleventh district shall consist of the county of Luzerne

The twelfth district shall consist of the counties of Schuylkill and Northumberland

The thirteenth district shall consist of the county of Berks

The fourteenth district shall consist of the counties of Bradford Pike Susquehanna Wayne Columbia Montour Sullivan and Wyoming

The fifteenth district shall consist of the counties of Clinton Lycoming Potter Tioga McKean and Cameron

The sixteenth district shall consist of the county of Montgomery

The seventeenth district shall consist of the counties of Fulton Huntingdon Juniata Mifflin Perry Snyder Bedford and Union.

The eighteenth district shall consist of the counties of Cumberland Dauphin and Lebanon

The nineteenth district shall consist of the counties of Warren Jefferson Venango Forest Clarion and Elk

The twentieth district shall consist of the counties of Northampton Carbon and Monroe

The twenty-first district shall consist of the counties of Adams York and Franklin

The twenty-second district shall consist of the counties of Clearfield Centre and Blair

The twenty-third district shall consist of the counties of Fayette and Somerset

The twenty-fourth district shall consist of the counties of Greene and Washington

The twenty-fifth district shall consist of the counties of Beaver Butler and Lawrence

The twenty-sixth district shall consist of the counties of Armstrong Indiana and Cambria

The twenty-seventh district shall consist of the county of Westmoreland

The twenty-eighth district shall consist of the counties of Mercer Crawford and Erie

The twenty-ninth district shall consist of the seventh eighth eleventh twelfth thirteenth and fourteenth wards of the city of Pittsburgh the boroughs of Chalfant Churchill Edgewood Forest Hills Oakmont Pitcairn Swissvale Verona and Wilkinsburg in the County of Allegheny and the townships of Braddock Patton Penn Plum and Wilkins in the county of Allegheny

The thirtieth district shall consist of the twenty-first twenty-fifth twenty-sixth and twenty-seventh wards of the city of Pittsburgh the boroughs of Aspinwall Avalon Bellevue Ben Avon Heights Blawnox Brackenridge Bradford Woods Cheswick Edgeworth Emsworth Etna Fox Chapel Glenfield Haysville Leetsdale Millvale Osborne Sewickley Sewickley Heights Sharpsburg Springdale Tarentum West View in the county of Allegheny and the townships of Aleppo East Deer Fawn Franklin Frazer Hampton Harrison Harmar Indiana Kilbuck Leet Marshall McCandless O'Hara Ohio Pine Reserve Richland Ross Sewickley Sewickley Heights Shaler Springdale and West Deer in the County of Allegheny

The thirty-first district shall consist of the nineteenth twentieth twenty-eighth twenty-ninth thirtieth and thirty-second wards of the city of Pittsburgh the boroughs of Brentwood Bridgeville Carnegie Castle Shannon Coraopolis Crafton Dormont Greentree Heidelberg Ingram Mt. Oliver the fifth election district of McDonald Oakdale McKees Rocks Rosslyn Farms Thornburg in the county of Allegheny and the townships of Baldwin Bethel Collier Crescent Findlay Kennedy Mt. Lebanon Moon Neville North Fayette Robinson Scott South Fayette Upper St. Clair and Stowe in the county of Allegheny

The thirty-second district shall consist of the first second third fourth fifth sixth ninth tenth fifteenth sixteenth seventeenth eighteenth twenty-second twenty-third and twenty-fourth wards of the city of Pittsburgh

The thirty-third district shall consist of the thirty-first ward of the city of Pittsburgh the cities of Clairton Duquesne and McKeesport in the county of Allegheny the boroughs of Braddock Dravosburg East Pittsburgh East McKeesport Elizabeth Glassport Homestead Liberty Munhall North Braddock Port Vue Rankin the first election district of Trafford Turtle Creek Versailles Wall Whitaker West Homestead West Elizabeth and Wilmerding in the county of Allegheny and the townships of Elizabeth Forward Jefferson Lincoln Mifflin North Versailles Snowden South Versailles and Versailles in the county of Allegheny

Section 2 The first election under this act shall be held at the general election in the year one thousand nine hundred forty-four

The members of Congress now in office shall continue in such office until the expiration of their respective terms

Vacancies now existing or happening after the passage of this act and before the commencement of the terms of the members elected at the election of one thousand nine hundred forty-four shall be filled for the unexpired terms in the manner now provided by law

Section 3 The act aproved the twenty-fifth day of February one thousand nine hundred forty-two (P. L. 7) entitled "An act concerning the election of representatives of the people of Pennsylvania to serve in the House of Representatives of the Congress of the United States providing for the apportionment of the Commonwealth into congressional districts and for the election of one representative in Congress at large" is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

And said bill have been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution?

On the question,

Will the Senate agree to the bill?

Mr. BARR. Mr. President, I ask unanimous consent to offer amendments.

The PRESIDENT PRO TEMPORE. Is there objection?

Mr. WALKER. Mr. President, I object.

MOTION TO RECONSIDER SENATE BILL No. 272

Mr. BARR. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 272, passed second reading.

The PRESIDENT PRO TEMPORE. How did the Senator vote,

Mr. BARR. Mr. President, I voted "aye."

Mr. WOODRING. Mr. President, I second the motion.

The PRESIDENT PRO TEMPORE. How did the Senator vote,

Mr. WOODRING. Mr. President, I voted "aye".

On the question,

Will the Senate agree to the motion?

Mr. BARR. Roll call, Mr. President.

The yeas and nays were required by Mr. BARR and were as follows, viz:

YEAS—13

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Stiefel,
Woodring,

NAYS—27

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Edmonds,
Farrell,
Geltz,
Heyburn,
Homsher,
James,
Kephart,
Letzler,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,
Ealy,
Pres. Pro. Tem.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I can, of course, take it with a smile, but a lot of the fellows who are handing it out can not take it.

An hour and ten minutes from now we are going to hear some remarks commemorating the two hundredth and one day anniversary of the birthday of Thomas Jefferson. I should like to read a brief paragraph from Jefferson's first inaugural address, showing that a minority also has rights, which is as follows:

> "All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; that the minority possess their equal rights, which equal laws must protect, and to violate which would be oppression. Let us, then, fellow citizens, unite with one heart and one mind. Let us restore to social intercourse that harmony and affection without which liberty and even life itself are by dreary things. And let us reflect that having banished from our land that religious intolerance under which mankind so long bled and suffered, we have yet gained little if we countenance a political intolerance as despotic, as wicked, and capable of as bitter and bloody persecutions."

That, Mr. President, is from Thomas Jefferson's first inaugural address, on March 1, 1801.

The gentlemen on the majority side are somewhat fortunate today that I have a very bad cold and am running a temperature, and I promise not to be up here talking any longer than I can help.

I told the Democratic members in caucus on Monday, as I told you earlier today, that I thought that the time had come in my life where I had become a crystal gazer. I said that I had dealt with the gentlemen on the Majority side in 1941, 1942, and this year. I said no matter what course we take, they will do as they please and just as they wish. I think the course they have taken has proven to the people of Pennsylvania that the Republicans are saying, to the people of Pennsylvania, "the people of Pennsylvania be damned, we have the House, we have the Senate, we have the Governor, we have the Courts."

The night before last several members on the majority side told me that they thought we could probably come to some compromise with regard to reapportionment in Allegheny County, and I probably wrongfully took them at their word, and went to the expense of having a man come to Harrisburg from Pittsburgh with figures, registration maps and so forth; he gave up a full night's sleep, worked all day yesterday, and took the train back last night. To him and to him only I apologize.

I also heard when I walked into the Penn Harris Hotel last evening one Senator on the majority side who was using rather abusive language in his terms of me. To that gentleman I say that I still have the same respect for him, because I have become, since being in this Senate and being a minority member, I would say, rather thick-skinned; you must be or you can not exist in this hodge podge that we have now.

Senate Bill No. 272 is a bill that the people of Pennsylvania will not forget, and I promise, as one, I will never let them forget it, if that is the way it is going through this Senate.

The Majority Leader, a few moments ago, read from the Philadelphia Record, and I would like to read to the members of the Senate an editorial appearing in the Philadelphia Record of today, which is as follows.

IF OUR BOYS IN TUNESIA COULD SEE HARRISBURG—!

Hon. Edward Martin, Governor,
The Executive Mansion,
Harrisburg, Pa.

Dear Governor:

Have you forgotten your own inaugural message—so soon?

You are the man who told the people that "right now nothing matters but winning the war."

You are the man who pledged, in the same message:

> "The democracy our boys are fighting for must be kept clean and strong."

You are the man who promises:

> "Pressure groups—any kind of groups seeking special privileges for themselves—are out."
>
> (Reflect on that gentlemen.)

Yet now, Governor, you sit idly by while your party machine in the Legislature runs amok in an orgy of political grabbery.

Look at the program of your party, as translated into proceedings of the Legislature. How would you like to submit it to the boys in Tunisia—for their opinion?

Item by item, the GOP program:

1. The Civil Service ripper bill.

It aims to pack State payrolls with political pets at the special expense of veterans of this war and the last one. No wonder veterans are fighting it.

2. The parole ripper bill.

The Jaspan ripper was killed after a long fight, but the new "ripper" would open the way for revival of the old tie-up between politicians and the underworld, with price tags put on the keys of our prisons

3. The reapportionment bill.

A simon impure political steal; an attempt to legislate Republicans into Congress through compound gerrymandering.

4. The straw bail bill.

It would restore the old straw bail racket, in which one small piece of property could be put up as security for thousands of dollars worth of bail. Governor James vetoed a similar scheme.

5. The bill to amend the State Labor Relations Act so politicians can be appointed to the State Labor Board.

6. Senate Bill No. 72—

Which would move all the jobs in the Mercantile Appraisers' Bureau from the Auditor General's department to the Secretary of Revenue, so holders of those jobs could be fired to make way for Republican hangers-on.

In 50 days of this legislative session, only 32 of the 1635 bills introduced have been enacted into law. Save for routine measures, such as the deficiency bill, no important action has been taken in any way beneficial to Pennsylvania—

And not one bill has been passed, or given real consideration, which is remotely aimed to fulfill your pledge to extend "all our energies" to helping win this greatest of wars.

Little has been done on your program for post-war planning.

As a General as well as Governor, you should be able to imagine what a reception this program would get on the firing lines.

* * *

It's time, Governor, for you to get out of your swivel chair and assert your leadership.

When your own party stages a sit-down strike; when it twists your own program into a grim farce; when it makes a joke of your solemn promises to voters and fighting men alike—

The moment has come to call your party's leaders in the Legislature on the carpet and remind them there's a war going on.

Tell them, Governor, this war is against Hitler, not against the Democratic party.

Tell them those boys over there are coming home some day, and that when they get back they'll want to know what the hell happened to Pennsylvania under a General's administration while they were risking their lives.

You've got to be more than "half as good as Arthur James" to command the respect of the Legislature and to win the confidence of the public.

You've been taking it too easy, Governor. You've got to get tough, even if you do hurt a few of your fair weather friends.

THE PHILADELPHIA RECORD.

If possible, I would like to sign that "Joseph M. Barr, ditto."

On Monday I told some of the gentlemen of the Senate that we are here representing, I think, a great minority. I told them that I had the figures of the votes that had been cast on both the majority and the minority sides in the election of 1940, and the election of 1942, which sent us to this body. I told them I had them if any of them would care to look at them, but, of course, knowing them as I do, none of them came to look.

For the twenty-five gentlemen who ran for the Senate in 1940, the Democrats received 938,162 votes and the Republicans received 897,491 votes, but through your gerrymandering, which passed this body years ago with a Republican House, a Republican Senate, and a Republican Governor, you elected the majority.

In 1942, the Republican vote was 696,970 and the Democratic vote was 650,210. If you add those, the Democratic total in 1940 and 1942 was 1,588,372 and the Republican total was 1,594,461, but with your gerrymandering, you have thirty-two men seated in this Senate and we have eighteen yet you have only a 6,000 majority in votes cast. Reflect on that gentlemen, if you will, the count that put you here.

I have, as I say, these amendments, and of course, I will send them to the House of Representatives, and if the leadership over there is the same as here, they, of course, will have the same fate.

Mr. President, as I say, today I have a pretty bad throat and cold, and several friends on my side here are going to tell you just what Congressional Reapportionment does to our county.

Mr. DiSILVESTRO. Mr. President, I am going to explain my vote on this bill.

It seems to me that the bill introduced by my friend, Senator Heyburn, will remove a congressman from my district and unite him with a congressman in the adjoining district, and although I am a firm believer in the Constitutional provision of reapportionment, I feel on account of this shifting around of my district, I will have to vote "no."

Mr. STIEFEL. Mr. President, I too am a great admirer of Senator Heyburn, and I have served with him since 1936, but I am afraid today I have to change the word "gerrymandering" into "Heyburn-mandering."

Mr. President, this is an example of political chemistry and of the different illusions that can be gathered when you examine the third congressional district. This third congressional district of Philadelphia is one of the largest in Pennsylvania and it has more than its share. As a matter of fact it is carved up, they carved up three Senatorial districts out of this third congressional district, but apparently, in Philadelphia they made Democratic districts stronger and doubtful districts definitely Republican; by adding to the third congressional district the fifth, sixth, seventh, eighth, ninth and tenth wards, they are assured that Congressman Bradley, who was one of the outstanding champions of the New Deal in Congress, is going to be defeated.

On the other hand, in such districts as the fourth and the second, which have always been Democratic strongholds, they have added additional Democratic wards and they will become even stronger Democratically.

Through this reapportionment we will lose three New Deal Congressmen from Philadelphia. I want to say that I have examined the history of this matter since 1790, and I find this is the first example of having two reapportionments after a census.

Mr. COX. Mr. President, my remarks on this bill will be very brief. However, I feel that if I did not take the floor in opposition to what this Senate is trying to enact, that I would not truly represent the people in my Senatorial district or of Allegheny county, the greatest industrial district in the world.

In 1942 this Legislature reapportioned certain congressional districts in Pennsylvania. I opposed the bill. I opposed it because I believed in the American principle of government. I believe in a true representation of all the peoples and I thought that that bill was not a congressional reapportionment bill in any sense of the word, that it was not a fair attempt to do the thing that we must do in this country if we really are to have a representative government. I assure you it was difficult for me to take that position. It was difficult for me to sit here and vote contrary to the wishes and the manner in which many other members of the Senate voted, but I feel there are things that transcend interest in any politics or any political party, and there has got to be someone with the courage of his convictions to stand on the floor of this Lagislature, and do the thing in a crisis like this that he feels is the honest thing to do.

Mr. President, this bill is a monstrosity in its relationship to Allegheny County. Yesterday the gentleman from Philadelphia, Senator Kephart made the statement that he believed the majority should rule. If Senator Kephart meant that the majority should represent, I could agree with him, but I do not understand the relationship of his remarks to reapportionment in Allegheny County, because if he believed what he stated or if he meant what I think he meant, then he made a splendid argument against reapportionment of Allegheny County as it is done by this bill.

When you talk of pluralities, consider the plurality in registration between the two parties in our county. We have in the entire county a plurality representation of 75,000.

This bill has been called a gerrymander, and it gets its name from the reapportionment of certain districts in Massachusetts many years ago. I recall, when I was a small boy studying history in a grade school, a picture of this gerrymander in Massachusetts. Unquestionably if this bill passes there should be printed in every history book in the schools of Pennsylvania a map of the Pennsylvania gerrymander in its relationship to Allegheny County.

With our plurality in registration of 75,000, we find that this bill would take strong Democratic districts and dump them into one district in the very center of our county. It is obvious the purpose for which that is done; it is obvious that in giving us a Democratic congressional district, where the Democratic population is twice larger than the Republican population, that that is a method whereby our plurality in registration will be mal-retricted in all other sections of Allegheny county.

There is not much more that I can say. I regret that this bill got to this place on the Calendar, and I certainly hope that when the matter gets to the House, those gentlemen will sit down in a spirit of compromise and attempt to work out something that will be truly representative of both parties in our state.

If we are to survive as a democracy, as a people who have a representative form of government, there must be a fair understanding between all factions and that understanding can never come unless there is mutual agreement between the parties to be honest and fair and to forget political interests.

Mr. JASPAN. Mr. President, as a Senator from the city of Philadelphia, I am very much interested in this reapportionment bill as it affects the city. As it stands today there are seven Congressmen. Under this bill we are losing one. To my mind, and I think the minds of everybody in this Senate, Philadelphia is the largest city in the state of Pennsylvania, and does more to contribute to the state government, the city government, and the federal government than any other city in the state of Pennsylvania.

This bill or set-up, as it relates to Philadelphia, is politically motivated. It certainly is an unfair and an unjust reapportionment, particularly with respect to the first and second districts and to the third as well, in which I live.

Mr. KEPHART. Mr. President, in reply to the Senator from Allegheny, Mr. Cox, may I say that my remarks the other day were not directed towards the merits of this reapportionment bill, and may I repeat here, so that it may be clear what I had in mind, that is, that it was not a Democratic form of government for the minority to rule the will of the majority by a filibuster, nor should the taxpayers' money be wasted through filibuster tactics.

Mr. McGINNIS. Mr. President, during the last few days I have begged several Senators on the other side to reconsider this bill as it affects Allegheny County.

I feel that the Republican Senators from Allegheny county, if they were sincere themselves on their side of the House, could sit down with some of us so that Allegheny could have a fair reapportionment bill.

For instance, in the district in which I am placed, it takes three wards on my side of the river, three Democratic wards, and tosses them over into the old city of Pittsburgh, across the Ohio, across the Allegheny and across the Monongahela, across three rivers, and gives us a registration of 100,000 Democrats to 49,000 Republicans. Of course, it takes these wards from sections where they naturally belong by topography and by population and throws them all in one bunch in the center, and then they dish out the other four districts to suit themselves.

The state of Pennsylvania has been reapportioned twice: a good many years ago it was done. Under the old reapportionment in Allegheny County, made by the Republican Party when in power, we elected every Congressman. At the time of the last reapportionment, in 1942, in order to avoid having thirty-three Congressmen running at large, we of the Democratic Party in our county voluntarily gave up one congressman—we lost one congressional district in the county election. We have four left and we elected four congressmen. Part of our district was thrown over into Washington county and that district was very close, although we did elect a Democratic congressman in that district, but it does seem to me that a party that has in past years built their congressional districts to suit themselves, that when it comes to reapportionment now, when it gets down to Allegheny county, having had all the rest of the districts, having reapportioned them, that they would take Allegheny County and give us a fair and square deal.

Mr. HALUSKA. Mr. President, I desire to state my position on this bill. I have gone into detail on this issue. Some of my colleagues are against it who believe a great injustice has been done to the county of Allegheny. I never believed that might meant right. A majority might have the might to do many things but not the right.

However, my district has been to some extent relieved and I am compelled, of course, to inform my colleagues on the left that I am going to vote for this bill for the reason that my Congressional District has been relieved of one county.

I am in sympathy with my colleagues from Allegheny County, and I have felt up until this moment that a compromise might be in the making. However it seems now that there is no chance of such a compromise.

Mr. WALKER. Mr. President, I would like to make a few remarks here on the record so that some thoughts I shall express here may take the form of rebuttal for posterity with regard to this reapportionment in Allegheny county! I am first going to show to the members of the Senate how the philosophy of redistricting our County was approached. Those of us who were primarily interested in the redistricting, as it now appears in Senate Bill No. 272, began this work back in 1940-1941, and we had reapportionment bills in at that time; in 1942 we had reapportionment bills in at that time, and at the conclusion of 1942, in that Special Session, Allegheny county was tossed to the wolves.

The Democrats have lost one congressman. They were permitted to carve up our county as they saw fit, and here on the floor of this Senate for the past week we have been accused of trickery, juggling, chicanery and gerrymandering until it approaches the realm of unreasonableness.

I do not propose for a second to discuss personalities with the gentlemen on the other side, because I appreciate the fact that what they have said about my distinguished colleague from Allegheny, Senator Geltz, and also what they have said about me, was mostly for local consumption back home and for strictly political and not personal purposes.

First they accused us of jumping rivers and giving them the heart of the City of Pittsburgh—in that connection it has been suggested by our distinguished farmer in the Senate, the gentleman from Delaware, Mr. Heyburn, that the heart of a watermelon is perhaps the best of the fruit, and we have given them the heart of the city of Pittsburgh in creating one of those districts.

In the city of Pittsburgh there was a Democratic district where they outnumbered us almost two to one in that district, and therefore they are complaining, and when we pick four other districts that are almost even they are complaining because they are almost even.

It is difficult for me to find out just what is the basis of the complaint that they make. First, they say that it was unfair because we were outnumbered by two to one, and then they say it is unfair because we give them four districts which are almost even, but they avoid saying the thing that, to them, is really wrong with this bill, as far as Allegheny County and the Democratic Party is concerned, that at long last there will be a chance for the Republican Party in Allegheny county to send Republican congressmen to Washington; that is the thing that they do not like.

Let me say to you that in those four districts we have divided the city of Pittsburgh and the county of Allegheny so that they are almost square geographically, they are compact, they are contiguous and they are almost identical in population figures and they are almost even in registration figures.

Let me now impose upon the members of the Senate a few statistics that will illustrate just what I am discussing. In district No. 29 the population is 272,288 and the Democratic registration was 76,040 and the Republican registration was 78,033. In district No. 30 the population is 271,544. The Democratic registration was 69,689 and the Republican registration was 72,060.

In district No. 31 the population is 295,000 and the Democratic registration was 76,969 and the Republican registration was 76,404.

In district No. 32 the population is 301,241; the Democratic registration is 105,797, and the Republican registration 49,133. In district No. 33 the population is 271,403; the Democratic registration is 75,842, and the Republican registration is 62,623.

Mr. President, in the discussions that we heard Monday and that we have heard here today, the distinguished gentlemen on the other side have been criticizing the merits of this bill and, avoiding personalities, they suggested that we are river-jumpers in trying to arrive at a proper redistricting of Allegheny County, but they have avoided discussing the fact that in 1942 when they were carving up Allegheny county they were anxious to see to it that all of the representatives in Congress from Allegheny county were of the Democratic philosophy of government, so they jumped a river in order to take in some additional territory and make it a Democratic district, because they knew full well that with any kind of a candidate who could make some intelligent approach to the people in that district, they knew that district would go Republican and so they jumped the river and they took two heavy Democratic wards and hooked them up to that district, just to make sure that there would be a Democrat in Congress to uphold the New Deal and represent what is a predominantly Republican district in Allegheny County.

We attempted to compromise—and when I say we I mean myself and my distinguished colleague, Senator Geltz—and we met with the gentlemen from the other side in order to determine whether or not there would be a common meeting ground—perhaps they could show us where mechanically we were wrong, perhaps they could show us where we had skipped boroughs or run around rivers or where we had avoided geographical lines. We met with them yesterday and Senator Barr, who has been the front runner in this so-called filibuster, or whatever he calls it, to blockade legislation, Senator Barr presented to us a series of pencil notes in which he had outlined the proposed districts, and practically all the gentleman from Allegheny, Senator Barr, did in that discussion and with those notes, was to return to what the districts in Allegheny County had been under the Act of 1931; with one or two slight changes and a couple of things that were mechanically wrong with Senator Barr's suggested amendments, it was suggested to him that because he had isolated the borough of Brentwood in Allegheny County, and surrounded it with an entirely different district, that the act would be declared unconstitutional and we said to him that we could not do that and he agreed with us.

And then in another district he had taken the thirteenth and fourteenth wards and he had affiliated them with the sixteenth ward in a congressional apportionment set-up, and it was pointed out to him that the fifteenth ward and the fourth ward in the city of Pittsburgh intervened between the fourteenth and the sixteenth wards, and therefore those two wards were not contiguous and the district would be unconstitutional and so would be the act. The naive approach to contiguous territory under the amendment Senator Barr suggested to us was this—and those of you who are familiar with the topography of Allegheny County will appreciate the humor in such an explanation—the Monongahela River washes the shores of the sixteenth ward and then comes down around what is called the Glenwood bend and passes the fifteenth ward and then a couple of miles further down the river it washes the shores of the fourteenth ward, and because the Monongahela River washes the shores of the sixteenth and fourteenth wards that made them contiguous.

We submit to the gentlemen on the other side that we have been patient and we have been fair about these amendments which the gentleman offered and which were voted down by this body. If he proposes to submit these amendments to the House, that is his privilege, and as to his prognostication as to what will happen, if the amendments are along the same lines as those presented to us yesterday, that is just what should happen to them.

Measured from a geographical standpoint this reapportionment is fair, from a population standpoint it is almost even, from the standpoint of registration it is a toss up, with two districts which the gentleman feels are Republican—well, that is fair, two districts are Democratic but they will not admit it, in fact they deny that even that one district, where they outnumbered us two to one, will be a Democratis district and they say that is unfair. As far as the fifth district is concerned, that is a toss up because it is almost identical in population and almost identical in registration.

They say that because they outnumber the Republicans by seventy-five thousand in Allegheny County that they should have a predominant representation in Congress. For a hundred years the Republican Party in Allegheny county and thousands and thousands of Republicans have been denied Republican representation in Congress and last year when we had a chance to get them they deliberately gerrymandered that district so that we could not get even one Republican in Congress in Washington.

I say, Mr. President, that at no time have the Democrats, from Allegheny county or anywhere else in Pennsylvania, attacked the mechanical results of this bill. There has been a playing of personalities and blanket indictments made here that have not been substantiated. This bill divides Pittsburgh and Allegheny County into equitable, contiguous districts, and the only fault the Democrats find with this bill is that at long last Republicans from Allegheny county will go to Washington.

Mr. BARR. Very briefly, Mr. President, it was no fault of mine that we sat here during two years trying to get an equitable reapportionment bill and no other part of the state was willing to give up one congressman—Mr. Walker knows that is the truth and so does Mr. Geltz.

Speaking about the fourteenth ward not being contiguous to the sixteenth ward, in case you do not know it, Senator Walker does not live in the city of Pittsburgh—I do—and those wards come together at the Monongahela River at Second Avenue and Greenfield Avenue.—Mr. Geltz is shaking his head "no"—he does not know and Mr. Walker does not know either, but when I go home I will take them out and show them where it is.

He says that Brentwood was isolated in this bill. That was a mistake. We had this information downstairs and I showed it to Mr. Walker and he knows that was changed.

When we went downstairs yesterday he had the sheriff of Allegheny County, Bob Corbett, whose amendments these were, and when we came upstairs Bob Corbett called me and told me he thought my amendments were mighty fair and he thought that with one or two changes we could get together.

As a member of the minority I can only say that the majority rules and they will not allow us even to present our amendments.

The 1931 Act the gentleman was speaking about was a Republican act and at that time it was gerrymandered by the Republicans and then it so happened that the Democrats came into power in 1937 and they did not gerrymander well enough and we elected Democratic congressmen.

Senator Walker says they want a chance to elect some Republican congressmen. He forgets that in 1938 they elected the congressmen, and this bill aims to put those gentlemen back in Congress. In 1940 those two gentlemen ran and they were defeated and we elected five Democratic Congressmen. We gave up one Congressman in 1942 and elected four. Now, with a majority of seventy-five thousand it looks as though we will be allowed to elect one Democratic Congressman.

Mr. GOURLEY. Mr. President and members of the Senate, it is extremely difficult and in fact impossible for me to cast a vote in connection with this measure which will truly represent the feelings and the desires of my constituents in Greene and Washington counties.

The congressional apportionment bill for the twenty-fourth district will bring back Greene county with Washington county, and take away Allegheny county, which is now a part of the twenty-fourth congressional district.

As far as my constituents in Washington and Greene counties are concerned, it is highly beneficial to those men and women who are of the Democratic faith, for the reason that as apportionment now exists, with Allegheny county a part of Washington county, the Republicans have a majority. By substituting Greene County for Allegheny County, and making it a part again of Washington county, we will gain a Democratic majority of five thousand, approximately, so this bill will mean that ten thousand registrations would be gained, through a backlog of five thousand majority that now exists and the gain of five thousand Democratic majority which would be secured in the reapportionment of Greene county with Washington county.

Therefore, Mr. President, I want my constituents to know that I am in favor of the reapportionment bill as it pertains to Washington and Greene counties. However, in the many arguments that I have heard and from the study which I have made, I believe the reapportionment bill is grossly unfair and will bring about a great hardship to the people, generally of Allegheny county, when it is considered that there is a majority of seventy-five thousand people in Allegheny county in the Democratic Party,

Therefore, Mr. President, I have no other alternative than to vote "no" on this measure.

Mr. HOLLAND. Mr. President, I think the members of this Senate know that there are now assembled in convention in the city of Harrisburg and C.I.O. to meet their members.

Last night I had the opportunity of sitting down with some of the C.I.O. leaders of Allegheny county. I was impressed with the attitude these men of industry are now taking, with one purpose only in mind, with one goal only before them; that goal is to win the war and to smash Hitler and the Japs.

We discussed this bill and I want to express their opinions on this bill, especially to the two Senators from Allegheny County, Mr. Geltz and Mr. Walker. They said that this bill was following the pattern, woven and developed by the labor haters, those men who would rather defeat Roosevelt than defeat Hitler.

Mr. President, this bill is a Jim Crow bill. They pointed out to me, Mr. President, that this bill was class legislation of the highest degree. It means this, that in the district that was created, which jumps over three rivers, that they place in that district all the men and the women who toil in the mills. It is saying to those men and women who are fighting the battle on the production line, "you live across the railroad tracks, you must be segregated, you have no right to be recognized by your superiority in registration," and I say to those gentlemen, Mr. Geltz and Mr. Walker, this bill is an anti-labor bill.

Oh, Mr. President, they can laugh, because I happen to know that we just passed a bill this morning that was anti-labor, not only anti-labor. but it was opposed by the big industries of Pennsylvania who now have on their payroll over two million men and women in excess of their usual employment.

When the war is won and when these two million men and women are unemployed, I wonder what is going to become of that fund! Yes, Mr. President, every move made by the Republican Party in this Senate up to date has been anti-labor. I still, Mr. President, wish to express to the Republican members of this Senate, who want to laugh, I say to them the remarks that I have made are the expressions of some of the finest labor leaders in Allegheny county, who are devoting every minute of the day to getting out production, to getting the guns and material to our boys at the front to win this war, and not doing like the Republican Party is doing, fighting the Democrats instead of fighting Hitler.

Mr. GELTZ. Mr. President, when I heard the C.I.O. was in town, I wondered how long my colleague from Allegheny county, Senator Holland, was going to be able to keep quiet, and I found out.

Mr. President, I do not think it is necessary for me to discuss this bill which is under consideration from the standpoint as to whether or not it is fair, because I consider that my colleague, Senator Walker, made a very splendid argument in connection with that question, and anyone who is at all fair minded, it seems to me, must come to the conclusion that the bill upon which we are going to vote is so much fairer than the one which was rammed down our throats last session, that there is not even any argument that should be considered.

But there were a couple of points raised on the other side, Mr. President, and it seems to me that it ill-behooves anyone over on the Democratic side of this chamber to raise any question or make any statement in connection with the rights of the minority being prejudiced by the majority in this Senate.

My recollection is still fresh and still vivid, Mr. President, of the session held in this chamber when the Senate convened in 1939. That to me was the most disgraceful thing that was ever seen in the legislative halls of this Commonwealth and I certainly hope the most disgraceful thing that ever will be seen, when there was a question of almost even balance and a question as to a proper majority in this Senate, but because of the tactics of Kennedy, Shapiro and a few others, Senators who had served prior to that session and who had been re-elected, were not permitted their rights in this chamber as Senators, and I defy any member of the minority in this session to say that he has not received his full rights at all times to take the floor and vote and to do pretty much as he saw fit to do.

Then, there was some statement, Mr. President, I think by my colleague, Senator Barr, as to demagogues. Well, it seems to me that possibly I do not even need to say anything about that, except to suggest that those persons who attend the sessions in this chamber undoubterly have already made up their minds as to who might be the demagogues in this Senate, and on which side of this center aisle they sit. Just in case there might be a question in the mind of someone as to whether or not we did honestly try to have this thing worked out, let me corroborate my colleague, Senator Walker, as to our sitting down and as to the mistakes which were in the reapportionment plan as presented by my colleague, Senator Barr.

Of course, Mr. President, we understand what this situation is. When we peer through the smoke, we know that this plan disappoints Senator Barr, and his boss, Dave Lawrence. We know that as a result of that disappointment—we do not have a filibuster—but we have a Lawrence-Barr Democratic blockade

The district in which I live, Mr. President, as it is set up now, has a two thousand majority for the Republicans, and that is, as even my colleagues on the left must admit, a normal Republican district. Senator Barr thought that was unfair and he brought to us in his reapportionment plan a set-up for that district which he considered was fair, and in his set-up, Mr. President, the Democratic majority was over six thousand.

I think that could give us the answer to the whole situation. We can not have something that appeals as being fair to the Democrats, unless they have two to one or three to one advantage, but if it gets to the point where it is fairly even or the Democrats only have one thousand or two thousand majority, that is unfair.

For that reason, Mr. President, I think the vote should be taken now on this bill and the bill should be passed as a fair, decent reapportionment plan, including Allegheny county, and a much better bill than the Democrats gave us last year.

Mr. JASPAN. Mr. President, I will be very brief. I studied this matter very carefully and I am of the opinion the bill is unconstitutional under our Constitution, once a reapportionment having been made after a census, and this is within a given census period, so between 1940 and 1950 we have no right to enact a bill to reapportion again.

The PRESIDENT PRO TEMPORE. The Chair wishes to advise the members of the Senate that the Committee from the House will be here in a few minutes to escort the Senators to the Hall of the House.

Mr. DENT. Mr. President, I would suggest, in order that the record be complete, that we do not take a vote on this bill until after we come back.

The PRESIDENT PRO TEMPORE. The gentleman from Westmoreland may proceed with his remarks.

Mr. DENT. Mr. President, as a member of the committee that put through that so-called monstrosity a few years ago, I want to say that I thought I was serving with honorable men, and still believe that I was.

All my life, Mr. President, I have had to live by negotiation and agreement. I was not born into a position where I could get by without negotiation or compromise on differences. Having learned my lesson very early and young in life, I have carried with me the firm belief that although radical thoughts may emanate from my mind, at times, I am conservative in the application of those thoughts when I put them into practical action. I believe that is a sound basis of applying myself to the problems of the day.

I hated to hear the gentleman from Allegheny recall the story of 1939 and the session on this Senate floor. He said it was a disgraceful sight for the people of Pennsylvania, and I agree with him, but if he will remember clearly, the will of the majority was not at that time applied to the actions of this Senate. The acts of legislation that were passed were passed because the Republican minority succeeded in purchasing, if you please, the votes of two minority members. I remember, Mr. President, when we had to crash the barber shop door to rescue a prisoner of the then Gestapo of the Republican Party. I say in all fairness, Mr. President, that our parties have both during and through the years committed crimes against majority rule, and against what you and I consider good government, but that does not excuse us here today.

I heard the gentleman from Philadelphia, Senator Kephart, say that this was a filibuster. Mr. President, a filibuster, if one were in progress, would not result in having more legislation passed this week than any week since the start of this session in the Senate of Pennsylvania. You say they are dilly-dallying tactics, you say this is a blockade. How in God's name could the minority of this Senate, the minority party of Pennsylvania, get any recognition for its efforts in this Senate, unless we resort to something proper and legal under the rules of the Senate, something proper and legal under the Constitution of Pennsylvania, to call to the attention of the people of this state that you have a majority here taking orders like no majority ever took since I have been a member of this body.

I want to say that the votes here as they are represented on the roster, compared to the sentiments of the members as they talked to one another, are not a true reflection of the will or the wants of the members. I say that, Mr. President, without fear of contradiction, and I will not divulge the names of the men who told me. I know what is happening, and I know the people of Pennsylvania know, not because of a filibuster but simply because we have resorted to a legal procedure, and I might say, Mr. President, it has not created any hardship. We came here yesterday morning at six o'clock, we came here this morning at seven o'clock. A great many people in Pennsylvania get up every morning at six o'clock. Some of you, born to wealth and born to the crown, perhaps, have laid in all your life, but some of us on this side happen to be men who sympathize with labor, not as demagogues but as sincere friends of the people, who, but for the grace of God and a few breaks in life of luck would still be punching a time-clock with the men who are here assembled at the C.I.O. convention, and I do not believe that I personally have reached the point where I can satisfy my own conscience and say that I have sufficient worldly goods stored up in some bank vault that I may not again be punching the clock with that group, and so, I am very jealous of their rights, I watch their interests here in the Senate of Pennsylvania, because their interests at one time was my personal direct interest, because I had to work, and I fear that perhaps some day I may have to go back to work; I fear that because, you know, I have become accustomed to two inch steaks and good whiskey and I do not like to go back to Four Kings and hamburgers.

Mr. President and members of the Senate, pass this bill; you have the votes. We were told—I understand someone has said you have the Courts, but I do not believe you have. I believe the Courts are still a free and separate branch of government, and that they may in their judicial capacity, as a branch of government, say to the Senators of Pennsylvania, this state has been reapportioned once and under the Constitution that is sufficient, and so, Mr. President, for fear of stopping the kind words that I know I am going to hear about Thomas Jefferson, and for fear of being blamed for keeping the Senate from listening to the gentlemen who now head the two important states that played such an important part in the life of Jefferson, the one that gave him birth and the other that gave him fame, for fear of stopping you Senators from hearing advice that you ought to take more to heart, I will conclude with the prediction that I know you will have a majority of twenty-eight votes for the bill and a small minority against it. However, I do not believe that I or any other man here has covered the entire ground of this session's activities. We all know the activities behind the scenes.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred.)

Mr. GOURLEY. Mr. President, for the reasons given in my oral statement, I vote "no".

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Edmonds,
Farrell,
Geltz,
Haluska,
Heyburn,
Homsher,
James,
Kephart,
Letzler,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T B.,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—12

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

JOINT SESSION—JEFFERSON BICENTENNIAL CELEBRATION

A committee on the part of the House of Representatives, being introduced by the Sergeant-at-Arms, informed the President that the House of Representatives is ready to receive the officers and members of the Senate in Joint Session to hold Jefferson Bicentennial Celebration.

The thanks of the Senate were extended to the committee on the part of the House of Representatives.

Whereupon,

The officers and members of the Senate proceeded to the hall of the House.

SENATE RETURNS FROM HOUSE

After some time the officers and members of the Senate returned to the Senate Chamber.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a short recess in order that committee meetings may be held.

Mr. EDMONDS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. HEYBURN. Mr. President, I move that the Senate do now return to the order of business of reports of committees.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

Mr. HENRY I. WILSON, from the Committee on Labor and Industry, reported as committed, Senate Bill No. 516, entitled:

An Act authorizing during the continuance of the present war and for a period thereafter the employment of certain minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment.

Mr. THOMAS, from the Committee on County Government, reported as committed, Senate Bill No. 534, entitled:

An Act to amend section four hundred thirty-seven, and to further amend section four hundred thirty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," changing the amount of aid which the board of county commissioners may pay out of the county funds to the historical societies of the county, and changing the qualifications of historical societies to receive county appropriations.

Mr. FARRELL, from the Committee on Public Health reported as amended, Senate Bill No. 209, entitled:

An Act to further amend section eleven (b) of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating the requirements for license as an osteopathic surgeon.

Mr. KEPHART, from the Committee on Agriculture, reported as committed, House Bill No. 838, entitled:

An Act to further amend section four of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" by suspending under certain conditions the operation of certain provisions during the present war.

Mr. BOWERS, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 544, entitled:

An Act to amend section two hundred fifty-six of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," giving fish wardens, while in uniform, power to stop boats, vehicles and conveyances for search and investigation.

Mr. HALUSKA, from the Committee on Forests and Waters, Game and Fish, re-reported as amended, House Bill No. 155, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" exempting for the duration of the present war persons in the armed forces from the payment of a fee to the Commonwealth for resident fishing licenses.

Mr. CRIDER, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 813, entitled:

An Act to amend sections three hundred ten and three hundred eleven of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for monthly returns and payment by issuing agents and requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue.

He also, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 841, entitled:

An Act to further amend section two hundred twenty-five of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue.

Mr. WALKER, from the Committee on Forests and Waters, Game and Fish, reported as committed, Senate Bill No. 377, entitled:

An Act abolishing the State Forests and Waters Fund in the State Treasury; providing for the payment of the moneys therein and all future moneys heretofore payable into such special fund into the General Fund; making the same available for all lawful expenditures; and making certain repeals.

Mr. BARR, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 172, entitled:

An Act providing that the State of Pennsylvania may enter into a compact with any one or more of the States of Maine New Hampshire Massachusetts Connecticut Rhode Island New York New Jersey Delaware Maryland Virginia North Carolina South Carolina Georgia and Florida and with such other states as may join to promote the better utilization of the fisheries marine shell and anadromous of the Atlantic Seaboard and to create the Atlantic States Marine Fisheries Commission providing for the members of such commission from the State of Pennsylvania providing for the carrying out of said compact and making an appropriation.

Mr. BARR. Mr. President, I assure you I have no personal interest in this bill, and therefore it will not be necessary for Senator Heyburn to have it sent back to committee.

Mr. WOODRING, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 316, entitled:

An Act to add section six hundred ninety-nine and seven-tenths to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it unlawful to capture take or have in ones possession lobsters under a certain size.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 112, entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Dent,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL No. 80, PRINTER'S No. 31 CALLED UP FOR RECONSIDERATION

Mr. BOWERS. Mr. President, I call up for reconsideration at this time Senate Bill No. 80, Printer's No. 31, which failed of passage April 13.

RECONSIDERATION OF SENATE BILL No. 80

Mr. BOWERS. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 80, entitled:

An Act to repeal the act approved the twenty-first day of March, one thousand nine hundred twenty-nine, (P. L. 34), entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers, typists and clerks to facilitate the business of the courts, and to provide for the payment of their compensation by the county, and validating former employment and payments therefor."

was defeated.

The PRESIDENT. How did the Senator vote?

Mr. BOWERS. Mr. President, I voted "nay".

Mr. COX. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. COX. Mr. President, I voted "nay."

The motion was agreed to

And the question recurring,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. THOMAS B. WILSON. Mr. President, I ask unanimous consent that Senate Bill No. 80, on final passage go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 71, PRINTER'S No. 239 CALLED UP

Mr. HEYBURN. Mr. President, I call up from the Calendar at this time Senate Bill No. 71, Printer's No. 239, which went over in its order temporarily, earlier in today's Session.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 71, entitled:

A Joint Resolution proposing an amendment to section four article two of the Constitution of the Commonwealth of Pennsylvania providing for annual sessions of the General Assembly salary of members and annual general appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby resolves as follows

Section 1 The following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four article two of the Constitution of the Commonwealth of Pennsylvania is hereby amended to read as follows

Section 4 The General Assembly shall meet at twelve o'clock noon on the first Tuesday of January every year and at other times when convened by the Governor but at the regular session in even numbered years there shall be no legislation upon subjects other than those designated by the Governor and the general appropriation and other appropriation laws

The members of the General Assembly shall receive such salary for annual and special sessions as shall be fixed by statute

And the amendments made thereto having been printed as required by the Consitution,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President and members of the Senate, my contemporary, the old gentleman from Westmoreland, Senator Dent, yesterday remarked that the Democratic caucus was not always harmonious, that the ties do not bind very tightly but that the Republican caucus seems to have better control, because there is a kind of closed shop in the Republican caucus.

With that kind of introduction I would like to say that this bill of mine has been on this front page of the Calendar so long that I am getting rather fond of it, and that gives me a certain standing with my constituents, that I am on the front page—at least of the Calendar.

I had a very discouraging letter from the Secretary of the budget. I wrote to Dr. Logan that I would like him to send me a letter endorsing my bill, Senate Bill No. 71, and he sent me a letter the other way around, but I am honest enough to tell you part of it. My great point in this bill—there are several—is that it is easier to write a budget for one year than it is to write a budget for two years—and I had testimony on that subject which I read here before you, quoting the Chairman of the Ways and Means Committee of the Assembly in New York state, but Dr. Logan has let me down because he says that he can perfectly well write a budget for two years unless, he says, there is a greater need for relief money, and he admits then that there is difficulty.

So I went to the caucus, the closed shop caucus, this afternoon and I stood up and said that I was defeated on this bill and I thought I would use that phrase to strike it from the Calendar—that always sounded pretty fine to me, to strike a bill from the Calendar—but they said no, the right thing is to recommit it, and I rather agreed to recommit it, but I am saying this because I am not bound by the caucus—they did not tell me to recommit the bill; it was my own idea and I changed my mind.

I am now going to have a vote on this bill, if you please, and I recognize probably this is the world's worst moment to propose annual sessions of the Legislature, since we have been suffering here from biennial, centennial and diuturnal sessions, and to propose annual sessions seems to me to take some courage.

I was going to practice what is called social ostracism on Senator Barr, I was never going to speak to him again, but I am discouraged. He and Senator Walker lambasted each other here on the floor, and then, when I was eating my lunch quietly today they barged in with their arms around each other's necks and they came up and almost put their arms around me nearly choked me, as if they were intimate friends. They were lawyers and perhaps that might explain it; members of the Bar are supposed to strive amiably, and eat and especially drink as friends.

Now then, as you all know, New York has an annual session, New Jersey has an annual session, and they closed their sessions a month ago while we are going on—I don't know—indefinitely—so that is an argument for this bill, and when it comes to that, as I said, I am fond of the bill because, after all, I have worked pretty hard on it—I have read it at least once.

I went to Mr. John Fertig, and I employed Mr. Fertig, that is, as my lawyer I employed him—of course Mr. Hannestad comes free—but I employed both of them to write this bill and they wrote it and they took the word "budget" out because the word "budget" was not recognized in 1874; when Senator Henry I. Wilson and I sat in that convention of 1874, there was no such thing as a budget at that time, and they had to take the word "budget" out of the bill and then they forgot to take it out of the title and that is what has delayed me in making these remarks.

Now then, to give the real reason for this bill, we have heard here that we are very much opposed to delegation of power—we are all powerful here, we seldom know it, but we are all powerful—and Governor James, you know, wanted to have us delegate power to him and Governor Martin says there are no "must" bills and he would not ask for any delegation of power, but just as soon as you go home, watch out, watch what will happen—when the cat is away the mice will play.

Another argument in favor of my bill is that if we held annual sessions we would not raise this question of delegating power to the Governor, because we would always be here.

The very best argument is this, you may not approve of annual sessions but, you know, owing to this Constitution of Senator Henry I. Wilson and myself, the bill will have to pass two sessions and this is the first session, and therefore you might pay me the compliment of voting for it now and then you can change your mind and vote it down at the next session. That is a perfectly practical thing to do. I had another argument but I have lost it so I will close.

Mr. BARR. Mr. President, it is true that Senator Walker and I did see Senator Woodward at noon. We were going down the street, burying the hatchet, but if you look at our backs you will find a hatchet in each of our backs. Dr. Woodward was very solicitous of my health and said something to the effect that I was Peck's bad boy and he said that I ought to be in bed.

Mr. WOODWARD. The gentleman ought to go to bed.

And the question recurring,

Shall the bill pass finally?

(During the calling of the roll the following occurred.)

QUESTION OF PARLIAMENTARY INQUIRY

Mr. THOMAS B. WILSON. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT. The gentleman from McKean will proceed.

Mr. THOMAS B. WILSON. What are we voting on, Mr. President? What is the question before the Senate?

The PRESIDENT. The question is will the Senate agree to Senate Bill No. 71 on final passage.

Mr. THOMAS B. WILSON. I appreciate that, Mr. President, but I had understood that there was to be another procedure and I am now inquiring, is the question now before the Senate shall the bill pass finally?

The PRESIDENT. That is exactly the question. If there is any other procedure the Chair has not heard of it.

Mr. THOMAS B. WILSON. Thank you, Mr. President. I am not in any way blaming the Chair, but I understood there was another procedure to be followed and some other member also understood there was another procedure to be followed, and I just wanted to know.

The PRESIDENT. If there is any further procedure it has not been called to the attention of the Chair.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barr,
Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
DiSilvestro,
Ealy,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Thomas,
Tyler,
Walker,
Watkins,
Woodring,
Woodward,

NAYS—8

Edmonds,
Farrell,
James,
Kephart,
Tallman,
Wade,
Wilson, H. I.,
Wilson, T. B.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESIDENT. That takes you off page one, Senator Woodward.

Mr. WOODWARD. Thank you.

HOUSE BILL No. 187, PRINTER'S No. 417 CALLED UP

Mr. HEYBURN. Mr. President, I believe the next bill on today's Calendar not previously acted upon is House Bill No. 187, Printer's No. 417, appearing at the top of page six, which I now call up for action.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 187, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever heretofore any land has been sold by the county treasurer of any county for the purpose of securing the payment of delinquent taxes which were assessed and levied against such land and the deed to the purchaser of such land was properly executed and acknowledged but the said county treasurer failed to make a report and return of such sale to the court of common pleas and failed to publish a notice of such report and the said sale was never confirmed by the court as required by law such sale shall not be invalidated by reason of such failure to comply with existing law if in all other respects the laws relating to such sales were fully complied with and all such treasurers' sales are hereby ratified confirmed and validated and the title to any such land purchased by any person or by the county commissioners of any county at any such treasurer's sale is hereby declared to be as valid as if such failure to make the aforesaid report and return and confirmation of such sale had not been made provided however that nothing herein contained shall affect or be applicable to any lands so sold for which action at law or equity are now pending for the purpose of determining title to said lands

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 208, entitled:

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever hereafter any person partnership or corporation having in possession money which is claimed by two or more persons or corporations shall come into any court of record in this Commonwealth either at law or in equity and disclaim all interest in the funds procure an interpleader between the rival claimants to determine the true ownership of the funds and pay the said funds into court or as the court may direct the court shall allow to the stakeholder out of the funds paid into court its costs and such reasonable counsel fee as the court may determine to be proper to be taxed as costs of the proceeding

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman
Thom
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 263, entitled:

An Act to amend section fifteen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" requiring written notice to be given in certain cases to each taxable person whose assessment shall be changed at any triennial assessment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifteen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" is hereby amended to read as follows

Section 15 At least thirty (30) days' written notice shall be given to any taxable person whose assessment shall be changed at any triennial assessment or between triennial assessments in a manner which would mean an increase in the taxes on such real estate if the same tax rate should prevail setting forth any change which has been made and the time and place set for hearing objections thereto

Such notice shall be served by the board or any member thereof or by any assessor or by any other person authorized so to do by the board upon said taxable person if he or she can be found in the county or may be mailed to him or her or served upon an adult person residing upon the property in question in case the taxable person cannnot be found in the county

When no service is made upon the taxable person or upon an adult person residing upon the property assessed said notice shall be deemed to have been properly served if tacked or conspicuously posted upon the property assessed and a copy thereof mailed to the last known address of the taxable person

No defect in service of any such notice shall be sufficient ground for setting aside any assessment so made but upon proof thereof being made the taxable person shall have the right to a rehearing before the board relative to said assessment and to appeal therefrom to the court of common pleas as hereinafter provided

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 285, entitled:

An Act to further amend section one of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" as last amended by the act approved the twenty-ninth day of July one thousand nine hundred and forty-one (P. L. 581) is hereby further amended to read as follows

Section 1 Definitions Be it enacted et cetera That as used in this act "Department" shall mean the Department of Labor and Industry of the Commonwealth of Pennsylvania

"Elevator" shall mean all the machinery construction apparatus and equipment used in raising and lowering a car cage or platform vertically between permanent rails or guides and shall include all elevators dumbwaiters escalators gravity elevators hoists and other lifting or lowering apparatus except elevators hoists and lifting or lowering apparatus used in raising and lowering a car cage or platform in the coal mines of this Commonwealth and in the breakers washeries cleaning plants and other plants connected therewith and which are under the jurisdiction of the Department of Mines and the mine inspectors

"Establishment" shall mean any room building or place within this Commonwealth where persons are employed or permitted to work for compensation of any kind to whomever payable and any place of business to which the public has access except private dwellings

"Freight elevator" shall mean an elevator constructed and used for the carrying of materials

"Inspector" shall mean an inspector examined and authorized by the Department of Labor and Industry to inspect elevators and lifting apparatus in this Commonwealth

"Passenger elevator" shall mean an elevator constructed and used for carrying persons

"Man lift" shall mean that type of elevator which operates by an endless vertical belt which revolves over fixed pulleys at the top and bottom limits of travel and to which steps and hand holds are attached so that persons may ride thereon

"Person" shall mean any individual firm partnership unincorporated association corporation or municipality

Wherever the singular is used in this act it shall include the plural and wherever the masculine gender is used it shall include the feminine and neuter

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 304, on third reading, entitled:

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 305, on third reading, entitled:

An Act to further amend the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote a primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firm and corporation operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing certain provisions of said act relating to removal notices and eliminating electors' rights to file removal notices in certain cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McGINNIS. Mr. President, Mr. Shapiro is absent from the Senate for a short time and I would like to ask unanimous consent that Senate Bill No. 344, on third reading, entitled·

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of any order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" including persons subject to the National Labor Relations Act in the definition of "employer" and defining the term "labor organization"

go over in its order temporarily.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 355, entitled:

An Act to amend section five hundred thirty of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the filing of the treasurer's bond

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred thirty of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 530 Bond The treasurer appointed by the board of township supervisors if an individual shall give bond with at least two sufficient sureties or a surety company to be approved by the auditors of the township conditioned that the treasurer shall well and truly account for and pay over all moneys collected or received for the township and all moneys paid by the State and received by him only upon a written order signed by two members of the board of supervisors for the delivery to his successor in his office of all books papers and documents for the payment to him of any balance of money belonging to the township that may remain in his hands and for the faithful performance of the duties of his office The bond of the treasurer shall be filed with the auditors of the township

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Tyler,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 365, on third reading, entitled:

An Act to further amend clauses (d) and (e) of section four hundred four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further changing provisions relating to the investment of the capital and reserve of mutual and stock life insurance companies organized under the laws of this Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 405, entitled:

An Act to amend section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" relating to the operation of and the presence of minors in pool and billiard rooms and bowling alleys.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, as I understand this bill it is going to lower the age from eighteen to sixteen for boys who frequent pool rooms, and I am voting "no" unless Senator Kephart or someone in favor of this bill can show the necessity for it. It does not seem to me to be a very praiseworthy war time measure. We have an open vote from our caucus, so that I have a right to say this, and I hope the bill will be voted down.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—13

Barr,
Cox,
Crowe,
DiSilvestro,
Gourley,
Heyburn,
Holland,
Kephart,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Watkins,

NAYS—25

Becker,
Bowers,
Carr,
Chapman,
Crider,
Ealy,
Edmonds,
Farrell,
Haluska,
Homsher,
James,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Wilson, H. I.,
Woodring,
Woodward,

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 421, on third reading, entitled:

An Act to add section ten to the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" authorizing townships to make appropriations for said purposes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 425, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Crawford County, Pennsylvania, known as the Keystone Ordnance Plant, and ceding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 430, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-eighth Ward, of the City of Philadelphia, Pennsylvania, known as the Philadelphia Signal Depot, and ceding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 443, on third reading, entitled:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airmen and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by reducing the amount of the minimum fine which may be imposed for certain violations

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 445, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City and County of Philadelphia, Pennsylvania, known as the Philadelphia Armor Plate Plant, and ceding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 452, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties, Pennsylvania, known as Pennsylvania Ordnance Works, and ceding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 457, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the Forty-eighth Ward of the City of Philadelphia, Pennsylvania, known as the Philadelphia Quartermaster Depot, and ceding jurisdiction to the United States

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 460, entitled:

An Act to add Section six to the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" saving to members of the Pennsylvania Motor Police Force their right to increases in pay and certain advancements in rank

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" is hereby amended by adding at the end thereof a new section to read as follows

Section 6 Any member of the Pennsylvania Motor Police Force who shall in time of war or contemplated war enlist enroll or be drafted in the military or naval service of the United States or any branch or unit thereof shall not thereby forfeit any right to any increase or increases in pay which he would have received had his service as a member of the Pennsylvania Motor Police Force been continuous and uninterrupted during the period of his service in the military or naval service of the United States and in addition thereto any member of the Pennsylvania Motor Police Force holding the rank of private second class at the time of his enlistment enrollment or draft into such service of the United States shall upon resuming his duties as a member of the Pennsylvania Motor Police Force at the conclusion of such military or naval service be given the rank of private first class in the Pennsylvania Motor Police Force

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 485, entitled:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 520) are hereby further amended to read as follows

Section 426 The board upon petition of any party and upon cause shown at any time before the court of common pleas of any county of this Commonwealth or the county court of Allegheny County to which an appeal has been taken under the provisions of section four hundred and twenty-seven of this article shall have taken final action thereon may grant a rehearing of any petition upon which the board has made an award or disallowance of compensation or other order or ruling or upon which the board has sustained or reversed any action of a referee but such rehearing shall not be granted more than one year after the board has made such award disallowance or other order or ruling or has sustained or reversed any action of the referee If the board shall grant a rehearing of any petition from the board's action on which an appeal has been taken to and is pending in the court of common pleas of any county of this Commonwealth under the provisions of section four hundred and twenty-seven of this article the board shall file in such court a certified copy of its order granting such rehearing and it shall thereupon be the duty of such court to cause the record of the case to be remitted to the board Provided however That nothing contained in this section shall limit or restrict the right of the board or a referee designated by the board to review modify set aside reinstate suspend or terminate an original or supplemental agreement or an award in accordance with the provisions of section four hundred thirteen of this article

Section 427 Any party may appeal from any action of the board on matters of the law to the court of common pleas or the county court of Allegheny County of the county in which the accident occurred or of the county in which the adverse party resides or has a permanent place of business or by agreement of the parties to the court of common pleas or the county court of Allegheny County of any other county of this Commonwealth Such appeal must be brought within twenty days after notice of the action of the board has been served upon such party unless any court of common pleas or the county court of Allegheny County to which an appeal lies shall upon cause shown extend the time herein provided for taking the appeal The party taking the appeal shall at the time of taking the appeal serve upon the adverse party a written notice thereof setting forth the date of the appeal and the court in which the same is filed and shall file either with his notice of appeal or within thirty days thereafter such exceptions to the action of the board as he may desire to take and shall specify the findings of fact if any of the board or of the referee sustained by the board which he alleges to be unsupported by competent evidence

Upon filing of the notice of an appeal the prothonotary of the court of common pleas or the county court of Allegheny County to which the appeal has been taken shall issue a writ of certiorari directed to the board commanding it within ten days after service thereof to certify to such court its entire record in the matter in which the appeal has been taken The writ so issued shall be mailed by the prothonotary to the department at Harrisburg together with a copy of the exceptions The board shall within ten days after such service certify to such court its entire record in the matter in which the appeal has been taken including the notes of testimony

Any court before whom an appeal is pending from any action of the board may remit the record to the board for more specific findings of fact if the findings of the board or referee are not in its opinion sufficient to enable it to decide the question of law raised by the appeal

If the court of common pleas of any county of this Commonwealth or the county court of Allegheny County shall affirm an award or order of the board or of a referee sustained by the board fixing the compensation payable under this act the court shall enter judgment for the total amount stated by the award or order to be payable whether then due and accrued or payable in future instalments If such court shall sustain the appellant's exceptions to a finding or findings of fact and reverse the action of the board founded thereon the court shall remit the record to the board for further hearing and determination in which the procedure shall be the same as that hereinbefore provided in this article in the case of a petition presented to the board except that the testimony taken in the original proceedings shall be considered as though taken in such further hearing

The prothonotary of any court of common pleas or the county court of Allegheny County to which an appeal has been taken from the board shall send to the board a certificate of the judgment of the court as soon as rendered with a copy of any opinion which may be filed in the case and within five days shall give notice of such judgment and the date thereof by registered mail to each attorney-at-law appearing in the case at the address given by the attorney in the pleadings and if no attorney-at-law has appeared by registered mail to the party or parties not represented by counsel At the end of the period hereinafter allowed for an appeal from the judgment of the court the record of the board shall be remitted to it by the prothonotary unless an appeal shall have been taken to the Superior Court as hereinafter provided If such appeal shall be taken the record shall be remitted to the board by the prothonotary on its return from the appellate court

Any party may appeal to the Superior Court from the judgment of the court of common pleas or the county court of Allegheny County within thirty days after entry of said judgment irrespective of the amount involved Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Superior Court and the record so certified shall contain all that was before the court of common pleas or the county court of Allegheny County Any appeal from the action of the board to a court of common pleas or the county court of Allegheny County and from it to the Superior Court shall take precedence over all other civil actions The judgment of the Superior Court shall be final unless an appeal therefrom is allowed as in the case of other judgments of that tribunal

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction regardless of the amount of money involved in the appeal

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 486, entitled:

An Act to amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring upon said county court jurisdiction in appeals from the Workmen's Compensation Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" is hereby amended by adding thereto after clause (f) which was added to said section by the act approved the twenty-eighth day of July one thousand nine hundred forty-one (P. L. 515) a new clause to read as follows

Section 6 The court hereby created shall have jurisdiction

* * * *

(g) In all appeals from rulings of the Workmen's Compensation Board

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 487, entitled:

An Act to amend section three of the act approved the tenth day of June one thousand nine hundred thirty-one (P. L. 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" by relaxing during the continuance of the present war the educational requirements for applicants to take examinations for undertakers' licenses if such applicants have completed ten or more years service as assistants to duly licensed undertakers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the tenth day of June one thousand nine hundred thirty-one (P. L. 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" is hereby amended to read as follows

Section 3 An applicant shall not be entitled to an examination if

(a) The applicant is not a citizen of the United States

(b) The applicant is not at least twenty-one years of age

(c) The applicant is not a graduate of an approved high school of this Commonwealth or has an education equivalent thereto under the rules and regulations of the department

(d) The applicant has not had practical experience in the business or profession of undertaking for two years continuously as a student apprentice and shall have completely embalmed at least twenty-five bodies

During the continuance of the present war any applicant who has completed ten years or more service as assistant to a duly licensed undertaker shall be entitled to an examination if he has satisfactorily completed eight years of elementary school in approved schools of this Commonwealth or has an education equivalent thereto and is otherwise qualified under the foregoing provisions of this section

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Barr,
Carr,
Chapman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Farrell,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
Kephart,
McGinnis,
McQuiddy,
Ruth,
Snowden,
Tallman,
Tyler,
Walker,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—8

Becker,
Bowers,
Geltz,
James,
Letzler,
Stevenson,
Stiefel,
Thomas,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 502, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized and empowered to sell and convey for such consideration as may be agreed upon and to make and execute a deed conveying an unimproved lot or piece of ground in the Township of Middletown County of Delaware being bound and described as follows

Beginning at a point on the line of lands of the School District in the Township of Middletown a corner of lands of John L Booth and wife at the distance of Two hundred seventy-four and twenty-one and one-hundredths feet measured South forty-nine degrees thirty minutes West from the center line of the Edgmont or Middletown Road which last said point is a corner common to the lands of the School District and of the said John L Booth and wife thence by said lands South forty-nine degrees thirty minutes West One hundred ninety-nine and seventy-three one-hundredths feet more or less to a point thence North thirty-seven degrees thirty minutes West One hundred fifty-four and seventy-seven one-hundredths feet thence North fifty-two degrees thirty minutes East One hundred ninety-nine and seventy-three one-hundredths feet to a corner of lands of the Pennsylvania Department of Highways and John L Booth and wife thence by the latter South thirty-seven degrees thirty minutes East One hundred forty-four and three-tenths feet to the point and place of beginning

The deed of conveyance to the purchaser thereof shall be prepared by the Attorney General and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania The price received as the purchase price of said plot of ground shall be paid into the General Fund of the State Treasury

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 503, entitled:

An Act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau prescribing the powers and duties of such bureau requiring the registration with such bureau by landowners of certain information relative to the location ownership and transfer of title of real property located in such county imposing certain additional duties upon the county surveyor the sheriff and the recorder of deeds in such county and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of procuring accurate information in reference to the ownership of real estate the board of county commissioners of any county of the third class may provide by resolution for a Registry Survey Bureau which shall be operated as a separate bureau under the supervision of the county surveyor in quarters to be made available by the county commissioners and which shall provide for the registry of all real estate in said county in the manner hereinafter prescribed

The county commissioners are hereby authorized to appropriate such sums as may be necessary for the establishment and maintenance of such bureau and to employ such engineers surveyors draughtsmen clerks or other assistants as may be necessary to enable such bureau to perform efficiently and properly the functions prescribed by this act

Section 2 The Registry Survey Bureau of any county of the third class established as aforesaid shall cause to be made all such necessary books maps and plans as will show the situation and dimensions of each property therein in which books maps or plans shall be so prepared as to show the house number if any the name of the owner or owners thereof with blank spaces for the owner of each lot with provision for the names of future owners and dates of future transfer of title The bureau shall provide for and maintain a separate record for the area covered by each city borough incorporated town or township in the county For the above purposes the employes of the bureau shall have free access without charge to any of the public records wherein the necessary information may be obtainable therefor The bureau may also cause search to be made in any other place for any muniments or evidence of title not reported to it as hereinafter provided and requisite for the completion of such books maps or plans

Section 3 The said books maps and plans shall be carefully preserved in the office of the bureau and shall be so kept by additions from time to time or otherwise as to show the ownership of every lot or piece of real estate or subdivision thereof within the county limits with the succeeding transmissions of title from the date of the commencement of such plans but nothing therein or in this act shall invalidate any county or municipal or tax claim by reason of the fact that the same is not assessed or levied against the registered owner

Section 4 Certified copies under the seal of the bureau of any of the entries in said books or upon said maps or plans shall be received in evidence in the same manner as the books maps and plans themselves might be admissible for such purposes and may be also furnished to any person desiring the same for such fee or compensation for the use of the county as may be fixed by resolution

Section 5 All owners of unregistered real estate within the county limits within one month from the date of the approval of the resolution establishing a Registry Survey Bureau and every subsequent purchaser and every devisee or person acquiring title by partition or otherwise to any real estate therein within one month after acquiring such title shall furnish to the said bureau at its office descriptions of their respective properties upon blanks furnished by the bureau and at the same time present their conveyance to be stamped by said bureau as evidence of the registration thereof The board of county commissioners may provide by resolution for the collection of a fee not in excess of seventy-five cents (75c) for each registration

Any person or persons neglecting or refusing to comply with the provisions of this section for a period of thirty days after public notice of the requirements thereof shall be liable to a penalty of ten dollars ($10) to be recovered with costs of suit in the name and for the use of the county as penalties for the violation of county resolutions are recoverable

Section 6 The sheriff of any county in which such bureau is established shall present for registry the deeds of all properties within the county limits sold by him at judicial sales whether by execution or in partition or otherwise and the recorder of deeds of such county shall not admit for record any deed of any property in such county bearing date subsequent to the approval of the resolution establishing such bureau unless the same shall first have been duly stamped as herein provided

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 506, entitled:

An Act to further amend section one thousand thirty-three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" extending the provisions of such section for a further period of two years

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand thirty-three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors streets cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" which was added to said act by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) and as last amended by the act approved the tenth day of July one thousand nine hundred and forty-one (P. L. 343) is hereby further amended to read as follows

Section 1033 Vehicles Carrying Other Vehicles (a) No person shall on or after January first one thousand nine hundred and [forty-four] forty-six operate a vehicle on the highways of this Commonwealth having two levels for the carriage of other vehicles

(b) No person shall on or after January first one thousand nine hundred and [forty-four] forty-six operate a vehicle on the highways of this Commonwealth carrying other vehicles any part of which is carried at a height of more than one hundred and fifteen (115) inches above the ground

(c) No person shall operate a vehicle on the highways of this Commonwealth carrying any other vehicle the weight of which is directly above the cab of the carrier vehicle or directly over the head of the operator of such carrier vehicle

(d) No person shall on or after January first one thousand nine hundred and [forty-four] forty-six operate a vehicle on the highways of this Commonwealth carrying any other vehicle any axle of which is more than three (3) feet higher than any other axle on such carried vehicle

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five ($25) dollars and costs of prosecution and in defult of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,
Becker,
Bowers,
Carr.
Chapman,
Coleman,
Cox,
Crider,
Crowe.
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler.
McGinnis,
McQuiddy.
Mundy,
Ruth,
Scarlett,
Snowden.
Stevenson,
Stiefel,
Tallman
Thomas.
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 515, entitled:

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood in said county during the month of May one thousand nine hundred forty-two

Whereas By unusual and unprecedented floods in the County of Wayne in May one thousand nine hundred and forty-two a large number of state county and township bridges were destroyed and great incidental loss sustained by the residents of said county and

Whereas The cost of rebuilding the bridges destroyed and the roads made impassable by said floods would be too heavy a financial burden to be placed upon the residents of said county and

Whereas By legal proceedings duly instituted and completed by the county commissioners of said county the Court of Common Pleas of Dauphin County under the provisions of the Act of Assembly approved the fourteenth day of June one thousand nine hundred and twenty-three (P. L. 761) appointed viewers to view the locations of the proposed new bridges to give proper consideration to all the facts and to report to said court their findings and recommendations as provided by law and

Whereas The said viewers having been duly qualified proceeded to the performance of their duties and in due course made report to the court to the effect "that the accommodation of the traveling public businesses farmers etc in these various communities demand the rebuilding of the aforementioned bridges if their safety and livelihood are to be protected and secured" and

Whereas The said report of the viewers was confirmed nisi by the said court on September eleventh one thousand nine hundred and forty-two and on October fourteenth one thousand nine hundred and forty-two it was confirmed absolute by the said court as will appear by reference to the record entered to the number and term aforesaid now therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred seventy-seven thousand dollars ($177,000) or so much thereof as may be necessary is hereby specifically appropriated out of the Motor License Fund to the Department of Highways for the purpose of rebuilding bridges in Wayne County destroyed by flood as aforesaid The bridges which shall be rebuilt with refunds from such appropriation and the maximum amounts which may be expended for each of such bridges are as follows

Hawley Borough Bridge	$70,000
East Honesdale Bridge	40,000
Honesdale Borough Bridge	30,000
Texas Township Bridge	20,000
Prompton Borough Bridge	17,000

Section 2 Before a contract is awarded for the construction of any of the bridges named in this act and before any work is begun on the construction of any of said bridges the County of Wayne shall enter into an agreement with the Department of Highways acting through the Secretary of Highways whereby the County of Wayne shall assume the responsibility for the payment of any sum or sums of money in excess of that sum appropriated by this act The county of Wayne shall likewise agree to be responsible for any sum or sums of money in excess of the maximum amount which may be expended under the terms of this act for each of said bridges

Section 3 The County of Wayne shall be responsible for the maintenance of any and all bridges constructed pursuant to this act

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H I.,
Wilson, T B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 518, entitled:

An Act to amend section one hundred and one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" defining certain additional words and phrases when used in statutes.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer amendments, to correct typographical errors.

The PRESIDENT. Is there objection. The Chair hears none.

The Clerk read the amendments as follows:

Amend Section 1 page 2 line 13 by inserting after the word amended the following word "by"; Amend Section 1 page 2 line 14 by striking out the word "by" where it appears the first time in said line.

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 521, entitled:

An Act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 From and after the passage of this act whenever the Legislature consents to the purchase or condemnation by the United States under the Seventeenth Clause Eighth Section of the First Article of the Constitution of the United States of any tract of land within this Commonwealth for the purpose of erecting forts magazines arsenals dockyards and other needful buildings and unless the Legislature shall otherwise specifically provide such consent shall be upon the condition that the jurisdiction of the United States over such land shall be concurrent with the jurisdiction of this Commonwealth and all civil process issued from the courts of this Commonwealth and such criminal process as may issue under the authority of this Commonwealth against any person charged with crime may be served and executed thereon in the same mode and manner and by the same officers as if the purchase or condemnation had not been made and shall be also upon the condition that the Commonwealth reserves its entire power of taxation with respect to such tracts of land and reserves to itself and to its municipalities and political subdivisions the right to levy and collect all taxes now or hereafter imposed on property persons and corporations including their franchises within the territory so ceded in the same manner and to the same extent as if the consent had not been granted Provided however that the concurrent jurisdiction so ceded to the United States shall continue no longer than the United States shall be the owner of such lands and if the purposes of any grant to the United States shall cease or the United States shall for five years fail to use any such lands for the purpose of the grant the concurrent jurisdiction so ceded to the United States over such lands shall cease and determine and the right and title thereto shall reinvest in this Commonwealth

Section 2 This act shall become effective immediately

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatibes for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 561, entitled:

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by increasing the amount for which under certain conditions such companies may issue policies in the event of death from natural or accidental causes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" is hereby amended to read as follows

Section 2 Powers All limited life insurance companies are hereby specifically empowered to issue policies agreeing to pay not more than twenty dollars ($20.00) per week in the event of disablement from sickness nor more than double that amount in the event of disability from accident nor more than five hundred dollars ($500.00) in the event of death from natural or accidental causes notwithstanding any limitation to the contrary established by the act of Assembly pursuant to which such corporation shall have been incorporated or reincorporated or by any other act of Assembly or by the provisions of its charter

Any such company may issue policies agreeing to pay in excess of five hundred dollars ($500.00) but not exceeding one thousand dollars ($1,000.00) in the event of death from natural and accidental causes provided it has

(a) In the case of stock companies a capital of fifty thousand dollars ($50,000.00) and in addition thereto has accumulated a surplus in the sum of at least twelve thousand five hundred dollars ($12,500.00) or

(b) In the case of mutual companies accumulated a surplus in the sum of at least fifty thousand dollars ($50.000.00)

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Becker,
Bowers,
Carr,
Chapman,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Haluska,
Heyburn,
Homsher,
James,
Kephart,
Letzler,
McGinnis,
Ruth,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—5

Barr,
Gourley,
Holland,
McQuiddy,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 686, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whereas The General Assembly of the Commonwealth of Pennsylvania has heretofore made a legislative finding of fact that "milk is the most necessary human food vital for the promotion of the public's health and for development of strength and vigor in the race" and

Whereas Butter produced from pure unadulterated milk has a recognized food value unequalled by any imitation product made from other substances and

Whereas By the act of May 23 1893 (P. L. 112) the use or purchase by or the sale to or the furnishing to the inmates of any charitable or penal institution in Pennsylvania of any article designed to take the place of butter produced from pure unadulterated milk or cream from the same or of any imitation or adulterated butter was prohibited and made unlawful and

Whereas Due to the present war effort and to the exportation of vast quantities of butter to our Allies there is a present shortage of butter and such charitable and penal institutions are presently unable to purchase adequate supplies of butter for the use of the inmates of such institutions and

Whereas It may become necessary for a limited period of time for such institutions to supplement the available supplies of butter through the purchase and use of imitation butter or oleomargarine

Section 1 The provisions of the act approved the twenty-third day of May one thousand eight hundred ninety-three (P. L. 112) are hereby modified and suspended as follows

(1) Any charitable or penal institution shall not use or furnish to its inmates any imitation butter or oleomargarine when adequate quantities of butter are available or obtainable from the usual sources of supply or from normal markets

(2) In the event adequate quantities of butter are not available in or obtainable from the usual sources of supply or from normal markets each such institution shall purchase all of the butter which is available or obtainable

(3) In the event of the rationing of butter as a part of the war effort any such institution shall purchase the full amount of butter apportioned to its inmates and to its employes residing within the institution

(4) In the event that adequate quantities of butter are not available in or obtainable from the usual sources of supply or from normal markets or through rationing any such institution may purchase sufficient quantities of imitation butter or oleomargarine to supplement the quantities of butter so available

(5) Each charitable or penal institution so purchasing imitation butter or oleomargarine shall keep full and accurate records of all purchases of imitation butter or oleomargarine showing the date and amount of such purchase the amount paid and the name and address of the person partnership or corporation from whom purchased Such record shall be open to the inspection of the Secretary of Agriculture or his designated representative

(6) The Secretary of Agriculture from time to time and for such periods of time as he may determine may require any charitable or penal institution other than a State-owned and State operated institution to report within the period of thirty days from the date of his request the amount of such purchases the source of such purchases the date of purchase and the price paid together with information of the total quantity of butter purchased during the same periods

Section 2 Any persons knowingly violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding one thousand dollars or imprisonment not exceeding two years for each offense or both at the discretion of the court

Section 3 This act is a temporary act and shall be effective only for a period of two years after its enactment

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

REPORT FROM COMMITTEE

Mr. WOODRING. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODRING, from the Committee on Forests and Waters, Game and Fish, reported as amended, House Bill No. 332, entitled:

An Act to amend section one thousand two hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the refund of certain moneys erroneously paid into the State Treasury for hunting license fees by former county treasurers.

SENATE BILL No. 344, PRINTER'S No. 246 CALLED UP

Mr. THOMAS B. WILSON. Mr. President, I call up Senate Bill No. 344, Printer's No. 246, on page 8 of today's Calendar, which was passed over temporarily.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 344, entitled:

An Act to further amend clause (c) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" including persons subject to the National Labor Relations Act in the definition of "employer" and defining the term "labor organization"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clauses (c) and (f) of section three of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" are hereby amended to read as follows

Section 3 Definitions When used in this act * * *

(c) The term "employer" includes any person acting directly or indirectly in the interest of an employer but shall not include the United States or the Commonwealth or any political subdivision thereof or any person subject to the Federal Railway Labor Act [or the National Labor Relations Act as amended from time to time] or any labor organization (other than when acting as an employer) or anyone acting in the capacity of officer or agent of such labor organization

* * * *

(f) The term "labor organization" means any organization of any kind or any agency or employe representation committee or plan in which employes participate and which exists for the purpose in whole or in part of dealing with employers concerning grievances labor disputes wages rates of pay hours of employment or conditions of work but shall not include any labor organization which by ritualistic practice constitutional or by-law proscription by tacit agreement among its members or otherwise denies a person or persons membership in its organization on account of race creed [or] color or political affiliation

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Cox,
Crider,
Crowe,
DiSilvestro,
Ealy,
Edmonds,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—2

Chapman,
Stiefel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

QUESTION OF PERSONAL PRIVILEGE

Mr. MUNDY. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Luzerne will state his question of personal privilege.

Mr. MUNDY. Mr. President, I wish to interrogate the Minority and Majority Floor Leaders separately. First I would like to interrogate the Senator from Allegheny, Senator McGinnis.

The PRESIDENT. Will the Senator from Allegheny permit himself to be interrogated?

Mr. McGINNIS. I will, Mr. President.

Mr. MUNDY. In my home town, during my absence from the Senate, I read in the papers that the Minority and the Majority Floor Leaders had stood on this floor protesting against the absence of certain members.

Now, Mr. President, I want to ask Senator McGinnis, if a man was away for the past fourteen weeks, from this Senate, what has he been absent from.

Mr. McGINNIS. Well, Mr. President, we did make that statement, both the Majority Floor Leader and myself, and a resolution was also passed by the entire body here. I do not think that was directed particularly at Dr. Mundy, because we know that he is very busy in the hospital up there, on account of the shortage of physicians and surgeons, but there were a good many other members absent from this body, and we felt that we should bring it to the attention of those who were absent too often.

Mr. MUNDY. I assure you, Mr. President, that I had no arrangement with the Senator from Pittsburgh to pay such a compliment to me for my absence.

May I now interrogate the Majority Floor Leader?

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. Yes indeed, Mr. President.

Mr. MUNDY. Mr. President, does the Majority Leader, in view of the performances of the past fifteen weeks, seriously think that any Senator was derelict in his duty in being held away from the session in view of the legislative performance or both bodies? In the last few weeks does the Senator from Delaware really think any Senator missed any vital function in his absence, any vital function of government?

Mr. HEYBURN. Mr. President, I think I heard the Doctor's question but I am sorry I could not follow very closely. Yes, Mr. President, we always miss the presence of an able legislator like Dr. Mundy.

However, what happened here the other day was this; one of the members of the Senate threatened to make a call of the Senate in the next week and the reason was that there were not enough members here to conduct the business of the Senate, and then the Democratic Floor Leader and myself sponsored a resolution, aimed at no one particularly, which provided that members of the Senate should not be absent unless they were absent with leave.

Now, if my good friend, Dr. Mundy, is working in a hospital and I understand that he is, and I know that surgeons are very scarce, of course, that is a good reason.

I do want to say, however, that regardless of what has or has not been done, that is not the question, as members of the Senate should attend sessions of the Senate unless they are absent with proper leave and for good reason.

Does that answer the interrogation of the gentleman from Luzerne.

LEAVE OF ABSENCE

Mr. MUNDY. I request that the Senate body and the President grant me leave of absence for the remainder of this legislative week.

The PRESIDENT. Is there objection? The Chair hears none. Leave is granted.

RE-REPORT FROM COMMITTEE

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Forests and Waters, Game and Fish, re-reported as amended, Senate Bill No. 135, recalled from the Governor for the purpose of amendment the vote by which it passed finally and third reading reconsidered, entitled:

An Act to amend section seven hundred sixteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances and making it unlawful to buy or sell raccoons for propagating purposes.

PERMISSION TO ADDRESS SENATE

Mr. COX asked and obtained unanimous consent to address the Senate.

Mr. COX. Mr. President, I would like to interrogate the Majority Floor Leader.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. Yes, Mr. President.

Mr. COX. I would like to inquire of the Majority Floor Leader if the majority party is attempting to make any disposition concerning Senator Walker's sub-committee of Judiciary General to investigate penal affairs.

Mr. HEYBURN. Mr. President, that matter has not yet been taken up by our caucus, but if the Senator desires I can tell him how I personally feel on that proposition.

Mr. COX. Does the gentleman from Delaware care to express his personal opinion?

Mr. HEYBURN. Yes, Mr. President, I am against it personally because we have a Joint State Government Commission to make such investigations and I think it is a sort of waste of the taxpayer's money to appropriate money for the Joint State Government Commission and then appropriate an additional $10,000 or $15,000 for another commission in the Legislature.

Mr. COX. Will the Senator from Delaware tell me if he feels that the only commission to study penal affairs would be the Joint State Government Commission.

Mr. HEYBURN. Mr. President, under the law setting up the Joint State Government Commission they can have other members of the Legislature make studies. It seems to me that would be a better way of doing it, because the Joint State Government Commission already has the personnel, a secretary and all that sort of thing; that is already there in the Joint State Government Commission.

Mr. COX. Will the gentleman from Delaware tell me what the appropriation is for the Joint State Government Commission.

Mr. HEYBURN. For the next biennium, Mr. President?

Mr. COX. Will the gentleman from Delaware tell me what the appropriation was for the last biennium?

Mr. HEYBURN. I will have to look that up, Mr. President, I think it was something like $65,000.

Mr. COX. I would suggest, Mr. President, the reason for my inquiry, as I have indicated, is that I am very much interested in an investigation such as the one indicated by Senator Walker, and I went to the trouble of preparing a bill to set up a commission to study this matter. I am perfectly willing to bow to the majority of the Senate, however, if they feel that a separate committee should not be set up and the matter should be referred to the Joint State Government Commission.

I would like to inquire of the gentleman from Delaware, however, as to what the procedure would be for the Senate to insist that the Joint State Government Commission make a study of penal affairs.

Mr. HEYBURN. That could be done by a resolution, Mr. President, directing the Joint State Government Commission to make a study or to appoint a sub-committee to make a study. I do not think that is necessary, however, and I want to say that is my own personal view; it has not been discussed in caucus.

Mr. COX. I appreciate the attitude of the gentleman from Delaware. The reason I have asked these questions is due to the fact that the sponsor of the bill has indicated to me that there were many people on that side who felt that way and I think that this matter is one of such tremendous importance that it should not be allowed to die in the closing days of the session.

I also would like to state that I introduced a bill proposing to investigate the educational system of Pennsylvania, which certainly needs investigation, and I would not want that idea to die in this session.

HOUSE MESSAGE

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 49

The Clerk of the House of Representatives being introduced, informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 49, entitled:

An Act to amend the title and sections one to twelve, both inclusive, of the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 3), entitled "State Council of Defense Act," changing the name of the Pennsylvania Reserve Corps to Pennsylvania State Guard.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 49

Mr. HEYBURN. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 49, and that a Conference Committee be appointed.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 235

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 235, entitled:

An Act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery under certain conditions for a limited period of time.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 235, entitled:

An Act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery under certain conditions for a limited period of time.

House Bill No. 388, entitled:

An Act to amend section four hundred and twenty A of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by giving minors of the age of eighteen years and upwards full power and authority to make contracts of insurance or annuity with any life insurance company authorized to do business in the Commonwealth of Pennsylvania and to exercise all the powers rights and privileges of ownership conferred on them under the terms of any and all such contracts applied for or issued to them regardless of whether such contracts were issued before or after such minors reached the age of eighteen years with the same force and effect as if they were of age.

House Bill No. 651, entitled:

An Act providing for the printing and distribution of Senate and House Bills and Senate and House Calendars.

House Bill No. 696, entitled:

An Act to repeal the act, approved the eighteenth day of June, one thousand eight hundred ninety-seven (P. L. 168), entitled "Vinegar Law."

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced, presented an extract from the Journal of the House of Representatives, which was twice read, considered and agreed to:

FELICITATIONS EXTENDED TO LEGISLATIVE CORRESPONDENTS' ASSOCIATION

In the House of Representatives, April 13, 1943.

Whereas, The Pennsylvania Legislative Correspondents' Association was organized in 1895 and has been in continuous and uninterrupted existence since that date; and

Whereas, The Association has been recognized by the General Assembly of the Commonwealth of Pennsylvania in its rules; and

Whereas, It has been the custom of the Association to hold a biennial dinner during regular sessions of the General Assembly in which members of the General Assembly have participated; and

Whereas, This year is the 48th anniversary of the organization of the Association which is the oldest association of its kind in the Nation; and

Whereas, The members of the Association have voted to dispense with their biennial dinners for the duration of the war; and

Whereas, The Association has used its funds, ordinarily expended toward the cost of these biennial dinners, to purchase War Bonds; therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania felicitates the Pennsylvania Legislative Correspondents' Association on its forty-eighth anniversary; and be it further

Resolved, That the General Assembly expresses its hope that conditions will be such in 1945 that the Senators and Representatives can unite with the correspondents in celebrating in a fitting and appropriate manner the Golden Anniversary of this Association; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to the Pennsylvania Legislative Correspondents' Association at its offices in the News Room in the Capitol.

Ordered, That the Clerk inform the House of Representatives accordingly.

He also presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Federal Relations:

CONGRESS MEMORIALIZED TO FURNISH TRANSPORTATION TO PHILIPPINES AFTER CESSATION OF HOSTILITIES TO MEN WHO FORMED EXPEDITIONARY FORCE

In the House of Representatives, March 17, 1943.

After the discovery of the Philippine Archipelago four hundred years ago by Ferdinand Magellan, and until 1898 the islands were held and ruled by Spain.

Following the sinking of the Maine in February, 1898, the declaration of war against Spain and the taking of Manila by Admiral Dewey, the Spanish Government ceased therein and was succeeded by United States Military Rule.

In June, 1898, the Filipinos proclaimed their independence with Aguinaldo as President, and within less than a year which was marked by increased hostility toward the United States, the Melolos Constitution was proclaimed declaring the Philippines a Republic.

On the night of February 4th, 1899, the inevitable conflict between the Americans and the Filipinos was precipitated and Aguinaldo declared war on the United States resulting in a struggle which was not terminated until the capture of Aguinaldo by General Frederick Funston, two years later.

Many of the American soldiers who participated in quelling the Philippine insurrection and bringing peace to the islands and their inhabitants and delivering them from starvation, are alive today and are deeply interested in the freedom of the natives and their full and complete independence, which under the terms of the Tydings-McDuffie Act is scheduled to occur in 1945.

The seizure of the islands by Japan will not interfere with the realization of that dream by the Filipinos, for before the day fixed in 1945 for their independence the Japs will have been driven from the Islands and the loyal natives will be better equipped than before to take their place among the free peoples of the world.

Nothing could better serve to mark this epochal event than to have the men who delivered those islands from slavery in 1899 return as Ambassadors of Good Will to the new nation for whose existence they will in great measure have been responsible; therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United States to take such measures as may be necessary to furnish free transportation on United States warships or other vessels to and from the Philippines as soon after the cessation of present hostilities as is possible to all those men who formed a part of the expeditionary force that made possible the freedom of the Filipinos and the creation of the new Republic of the Philippines; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the House to the President of the United States, the presiding officers of each House of the Congress of the United States and to each Senator and Representative from Pennsylvania in the Congress of the United States.

QUESTION OF PERSONAL PRIVILEGE

Mr. WOODWARD. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. WOODWARD. This question of personal privilege is directed towards the Senator from Allegheny, Mr. ———, I am trying to forget his name—Senator Barr, to make him really sick when he hears this news.

On these pages of the Calendar, from page 19 to the end of the chapter, page 26, there are twelve bills. Those twelve bills contain 15,173 words which we have to hear. I do not know the cost of the printing of those twelve bills, 15,000 words, which is to accomplish the change of one word, namely, to change the name of the Motor Police to the State Police; it is a change of the word "motor" to the word "state," and we are afflicted with 15,000 words and twelve bills in order to do that. I consider myself underprivileged.

The PRESIDENT. Would the Senator from Philadelphia object to granting leave of absence to the gentleman from Allegheny, Senator Barr, during the reading of these bills.

Mr. WOODWARD. I would be delighted if he went home and went to bed.

PERMISSION TO ADDRESS SENATE

Mr. SHAPIRO. Mr. President, in connection with a visit of Democratic members of the House and Senate to the Governor I ask unanimous consent to make a statement.

The PRESIDENT. Is there objection?

Mr. KEPHART. I do not wish to object to Senator Shapiro making a speech, but I would like to ask for leave of absence for myself for the balance of the afternoon so that I do not have to listen; with a filibuster going on today I think that is enough for one day.

The PRESIDENT. The Chair is of the opinion that is not a proper request.

Mr. KEPHART. I object to the speech.

Mr. SHAPIRO. Mr. President, I am quite sure the gentleman from Philadelphia, my colleague, Senator Kephart, if he listens—I do not say he would not understand, I would not be so unkind—I know he is a good legislator and is interested in everything that is for the purpose of bringing about good legislation.

The committee I mentioned visited the Governor and before stating our position I want to say that the Governor was very gracious, very courteous, very attentive and very considerate. We discussed some of the matters that are contained in this statement which I have before me, and he said he would give all of the suggestions consideration and that we would hear further from him. Therefore I feel that I should read to the members of the Senate the statement which we left with the Governor.

Mr. JAMES. May I inquire, Mr. President, of what committee the gentleman from Philadelphia is speaking.

Mr. SHAPIRO. A committee appointed by the Democratic members of the House and Senate to call on the Governor.

The statement is as follows, Mr. President, it is addressed to His Excellency, the Governor, Honorable Edward Martin, and is as follows:

April 13, 1943.

"To his Excellency, Honorable Governor Edward Martin.

"The Democratic party assumes full responsibility for invoking the provision of the Constitution that all bills shall be read at length. For fourteen weeks we have been waiting patiently for the verbal promise of cooperation between the two parties to be put into action and for evidences of a real effort on the part of the administration to pass legislation in aid of the war and in anticipation of post war necessities.

"For fourteen weeks nothing has been done in either of these directions. For fourteen weeks we have listened to the introduction or passage of bills ripping out the Parole system, the Civil Service system, Public Utility Commissioners, Democratic Congressmen, mercantile appraisers and transferring the appointing powers from Democratic elected officials to Republican officials.

"Whatever legislation has been passed, was generally either personal or political. In all, eighteen bills were finally enacted into law. The best information available indicates that the cost of this Legislature, including tomorrow's payroll, will have reached the amount of $1,101,207.70, a cost in excess of $60,000.00 per act.

This extravagance in time and money is complete justification for our action in invoking the Constitutional provision, requiring bills to be read at length, for it has already succeeded in its sole purpose to focus the attention of the public on the actions of the Republican majority party in this Legislature; to serve as a protest against the use of the power of votes for political aggrandizement in the period of this tragic war.

"The eyes of the people of the Commonwealth are on this Legislature. The objective having been attained, the time has arrived for constructive suggestion. It is timely that we should bring the matter officially to your attention, for you are the Governor of this Commonwealth; you are the titular head of the Republican party. We Democrats remember your promises of cooperation and your pleas for passage of legislation that would help to win the war. You said, and we agree with you, that "nothing else matters". Nothing else matters except the winning of the war and the preservation of the peace.

The method we adopted was the only way which we could make our protest heard and we hope that now these matters have been brought to the light of day, there may be an end to the use of this Session as a political vehicle and a return to the patriotic duty that this Legislature can, with unity and cooperation, carry out to the fullest extent.

With that end in view and in the hope that the promised cooperation can become a fact, we make the following suggestions:

(1) That a Committee be appointed consisting of members of the Senate and House from both parties to confer with you for the purpose of bringing about the passage of the following legislation.

(2) That a Planning Commission be appointed and that there be transferred to that commission sufficient funds to enable it to become an effective agency for post war readjustments. (There can be transferred to that commission a surplus of $30,000,000.00 available in the Motor License Fund at the end of this biennium). There should be transferred to this commission any surplus over and above current revenues remaining at the end of this biennium.

(3) That legislation be passed to aid the Federal Government in enforcing price ceilings and in policing "black markets".

(4) That a Legislative Committee be appointed to confer with Federal and State Health authorities for the purpose of recommending and enacting into law at this Session such protective measures as are necessary to guard the health and welfare of persons employed in war industries and specifically to prepare and pass legislation at this Session necessary to furnish treatment for the care and prevention of the spread of tuberculosis and social diseases in congested areas.

(5) The speedy enactment into law of bills now on the calendar and such other bills as may be necessary to give authority to Federal agencies to enlarge their activities so as to aid in slum clearance and to supply necessary housing for defense workers.

(6) The passage of legislation amending the existing Civil Service laws so as to provide an opportunity to the returning men and women in the armed forces to compete on an equal basis with all appointees after a given date without destroying the principles of Civil Service.

(7) Reduction in taxes not only for corporations, but in those emergency taxes now in existence which burden the individual citizen directly, namely, the Emergency Cigarette Tax and the Emergency Gasoline Tax.

(8) That this Legislature pass appropriate legislation to make financial provision for returning men and women of the armed forces following the cessation of hostilities.

(9) That legislation be passed granting to school teachers and other school employees an increase in pay sufficient to enable them to meet the increased cost of living.

(10) That passage of legislation which will disrupt the friendly relations between employer and employee be discouraged.

(11) That effective legislation be passed which will enable the Commonwealth to cooperate with the Federal Government and procure Federal funds for the purpose of establishing proper child care centers for the children of defense workers.

This is a frank, plain and sincere statement made with the same purpose which motivated our protest in the Senate and the House. We give you our assurance with equal sincerity that we are willing and anxious to cooperate to the fullest extent with every move that has for its objective—the winning of the war, the maintenance of the morale of the industrial and agricultural workers of Pennsylvania and the preservation of the peace. With equal frankness we say that we will continue to protest and give pitiless publicity to every effort that may be made to use this Legislature for political purposes and to the failure of the majority party to use the Legislature to carry out not only its promises, but its duty to all the citizens of this Commonwealth."

I should say in fairness that the Governor called my attention to the fact that some of the issues to which we referred were on the Calendar or were in the House or were in committee.

I called the attention of the Governor very respectfully to the fact that this is true and that is the reason we said in our statement "To bring about the passage of legislation."

I want also to say in conclusion, to repeat what I said, I hope that we can get the consideration from the members of the Senate that we got today from the Governor.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, one of the most dangerous things you can do in this Senate is to make extemporaneous rebuttal to a prepared speech of the distinguished gentleman from Philadelphia, Senator Shapiro.

The PRESIDENT. The Chair is about to say to the gentleman from Allegheny, Senator Walker, that we have been in session for approximately eleven hours, and while it is very natural that the gentleman from Allegheny among others, should wish to reply to the speech which has just been made, it is quite possible that a night's refreshing sleep would permit the gentleman to make better speeches tomorrow.

Mr. WALKER. Will the Chair bear with me, Mr. President?

The PRESIDENT. The Chair will gladly hear what the gentleman from Allegheny has to say.

Mr. WALKER. I am going to insist, Mr. President, with full realization of the danger that I may be sticking my chin out on a thing like this, but I should like to make a suggestion to the Governor—I was not on the committee that went over to see him—but I would like to say, Governor, when this filibuster started here in the Senate there was not any discussion of a lag in legislation on the floor or a falling down in the program that was adopted by the Republican Party in its platform and enunciated by you in your inaugural address. Everyone knows full well that when a Legislative session starts there is a certain drag between the time bills are introduced and committees have a chance to study the legislation, and they are brought out and placed on the Calendar, and carefully studied, and everybody who has had any legislative experience at all knows full well that as a session progresses there is a certain step-up in the number of bills which appear on the Calendar and the number of bills which pass in the Senate and are sent to the House for concurrence, and it is obvious that in the last two weeks of this present session there has been an increase in the number of bills coming over to the Senate for concurrence from the House, which shows that is true in that chamber as well as in this Senate.

Last week when the bill on congressional reapportionment was reported out of the Committee on Congressional Reapportionment, the challenge was made in front of us that this filibuster would start, and, Govrnor, I would like to suggest to you that it is not because of any dereliction on the part of your administration that we are going through this business of having bills read at length, so do not let them lay this at your door; it is because they are trying to justify the silly position in which they find themselves, by saying that you have failed in your duty, and Governor, when the doors close in this 1943 session of the Legislature, it will go down in history as one of the greatest in Pennsylvania, and when this Legislature adjourns sine die we will not be ashamed of the job that has been performed.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, I am not going to make a speech but I would like unanimous consent to just say a word in reply to what Senator Shapiro has said.

It seems to me that the Senator from Philadelphia, Mr. Shapiro, has made an unwarranted attack here and of course he is actually trying to slip out of a ridiculous position. I just want to talk about a couple of misstatements he has made.

I notice Senator Shapiro said we ought to co-operate and pass some sort of a planning commission bill. Mr. President, I just want to say that if it had not been for this Democratic filibuster, that bill would have been through this Senate this week, having passed the House two weeks ago. The same thing, Mr. President, goes for all the statements he has made, they are ridiculous, without foundation, and it seems to me they fall of their own weight.

The gentleman from Philadelphia, Senator Shapiro, talked of the school teachers' problem, Mr. President. The Committee on Education has not been able to work this week on account of this filibuster, so all the speech of the gentleman from Philadelphia is intended to do, it seems to me, is to attempt to slide out of this silly situation in which they find themselves.

PERMISSION TO ADDRESS SENATE

Mr. DENT asked and obtained unanimous consent to address the Senate.

Mr. DENT. Mr. President, the Senators on the other side persist on calling insistence on a constitutional requirement a filibuster. Perhaps a filibuster may be explained by saying that when a filibuster is in effect no legislation passes. Here legislation has passed. If you do not like the requirements of the Constitution, then change the Constitution, but do not insist on calling this a filibuster.

I do not feel that it is a ridiculous situation to come here and sit and listen to bills, and if you go ahead with your program and pay more attention to reading of the bills and to passing legislation, then we will not delay the operation of this Senate.

The PRESIDENT. The Chair will be glad to entertain a motion to adjourn.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Thursday, April 15, 1943, at 10:00 o'clock a. m. Eastern War Time.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 5:33 o'clock p. m. Eastern War Time until Thursday, April 15, 1943, at 10:00 o'clock a. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 14, 1943

The House met at 11:30 a. m.
The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O God, we thank Thee for valient men of former years and of our own times through whom victories for humanity have been won. May we know that true greatness still consists in serving Thee and others unselfishly. Grant, O Lord, that the words of the poet may inspire us to greater humanitarian achievements:

"Lives of all great men remind us,
We should make our lives sublime,
And departing, leave behind us
Footprints, in the sands of time."

For Thy name's sake, we pray. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 13, 1943.

The Clerk proceeded to read the Journal of Tuesday, April 13, 1943, when, on motion of Mr. MOORE, unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence, bills numbered and entitled as follows:

SENATE BILL No. 261.

An Act to amend section one of the act, approved the fifth day of August, one thousand nine hundred and forty-one, (P. L. 826), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey certain plots of land," by correcting the location of the plot of land described in paragraph Fourteen, and providing for the sale of certain additional plots of land.

Referred to the Committee on State Government.

SENATE BILL No. 266.

An Act to provide for the publication of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports conferring powers and imposing duties on the State Reporter the Department of Property and Supplies and the Secretary of the Commonwealth, providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof and repealing certain acts and parts of acts.

Referred to the Committee on Printing.

SENATE BILL No. 309.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

Referred to the Committee on Constitutional Amendments.

SENATE BILL No. 310.

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

Referred to the Committee on Constitutional Amendments.

SENATE BILL No. 314.

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by changing the provisions for supervisors of special education in counties employing fewer than five hundred and fifty teachers.

Referred to the Committee on Education.

SENATE BILL No. 348.

An Act to amend section four of the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1409), entitled, as amended "An act authorizing the creation of State mining commissions, with judicial powers, to have exclusive jurisdiction with certain exceptions over the mining of coal within or under land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, and over the assessment and awards of benefits, improvements, and damages for coal required to be left in place by reason of the obligation to furnish support for land, easements or right of ways purchased, condemned or otherwise acquired by the Commonwealth, whether the damages are payable by the Commonwealth or a county or a municipality; authorizing counties and municipalities to enter into agreements to indemnify or reimburse the Commonwealth for damages to its lands, easements or right of ways caused by the removal of coal under or adjacent thereto; waiving vertical and lateral support therefor under certain conditions; reserving the right to acquire absolute vertical and lateral support; reserving the power to establish detours for the removal of coal underlying State highways; providing for appeals to the courts of common pleas from orders assessing damages for coal required to be left in place," by waiving under certain conditions where no damages are payable vertical and lateral support to all lands, easements and right of ways purchased, condemned or otherwise acquired by the Commonwealth.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 350.

An Act authorizing the Department of Property and Supplies to acquire by gift from the Pennsylvania State College on behalf of the Commonwealth of Pennsylvania, that certain tract of land in Northumberland Borough, County of Northumberland, upon which is located the home of Joseph Priestley, and now the property of the Pennsylvania State College; providing for the control, management and maintenance thereof by the said department and the Pennsylvania Historical Commission;

authorizing the Pennsylvania Historical Commission to accept in trust from the American Chemical Society and other interested societies, or individuals, such moneys as they may see fit to present to the Commonwealth to assist in the maintenance and development of this property as a permanent memorial; authorizing the Pennsylvania Historical Commission to accept as gifts or loan, such books, manuscripts, pamphlets, relics and furniture as interested societies or individuals may provide for the permanent utilization of the property as a museum of science, and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 397.

An Act to further amend section five hundred fourteen of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by adding thereto clause (f) providing for contracts and leases for the mining and removal of minerals, including oil and gas, from lands of the Commonwealth.

Referred to the Committee on State Government.

SENATE BILL No. 444.

An Act to repeal the act approved the fourth day of May, one thousand eight hundred eighty-nine (P. L. 87), entitled "An act relating to sales of provisions by description."

Referred to the Committee on Agriculture.

SENATE BILL No. 449.

An Act making an appropriation to the Board of Finance and Revenue from the State Stores Fund for refund of distillers' licenses.

Referred to the Committee on Appropriations.

SENATE BILL No. 453.

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund.

Referred to the Committee on State Government.

SENATE BILL No. 463.

An Act making an appropriation to the Department of Welfare for the purchase of furniture and equipment for the Philadelphia State Hospital.

Referred to the Committee on Appropriations.

SENATE BILL No. 474.

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth, together with the rentals derived therefrom, shall be repaid to and credited to the proper special fund, from which the funds to purchase said real estate were taken.

Referred to the Committee on State Government.

SENATE BILL No. 478.

An Act to amend section two of the act, approved the second day of June, one thousand eight hundred and eighty-three (P. L. 61), entitled "An act supplementary to an act, entitled 'An act for the incorporation and regulation of corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, authorizing the incorporation of pipe lines for the transportation of petroleum, and providing for the exercise of the right of eminent domain in taking lands and property for such purposes," by enlarging and extending the powers of such companies including the acquisition and disposition of franchises, shares of stock and property of such companies in this and other states, the distribution and storage of oil and petroleum products, the use of connecting lines and equipment of other companies and producers and refiners, the construction and maintenance of connecting pipe lines or branches, pumps, tanks and other equipment within and without the State; extending the power of eminent domain; preserving the jurisdiction of the Pennsylvania Public Utility Commission; and regulating the laying of pipes by such companies and by foreign companies including companies incorporated under the Act of Congress, and the erection and protection of storage tanks.

Referred to the Committee on State Government.

RESOLUTION INTRODUCED AND REFERRED

By Mr. BROWN. (Concurrent) RESOLUTION No. 60.

In the House of Representatives, April 13, 1943.

The situation that has arisen in the Senate and House of Representatives in connection with the reading of bills is a matter that should be adjusted before this Session brings representative government into disrepute.

The constitutional question involved should be easily adjusted if a joint committee of members of calm judgment should sit together and discuss the problem; therefore be it

Resolved (if the Senate concur), That a committee of five members of the Senate, to be appointed by the President pro tempore, and five members of the House, to be appointed by the Speaker of the House, is hereby created, whose duty shall be to immediately meet for the purpose of deciding upon a solution of the difficulty that now prevails in both branches of the General Assembly, and that the committee shall report its findings of the General Assembly as soon as possible in order that constitutional government shall again be vindicated.

Referred to the Committee on Judiciary General.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 13, 1943.

Resolved (if the Senate concur), that House Bill No. 440, Printer's No. 282, entitled "An act to further amend section seven hundred two of the act approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 289) entitled 'An act relating to nonprofit corporations defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations,' by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof" be recalled from the Governor for the purpose of amendment.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. HARRIS for himself for the remainder of the week after today's session.

Mr. CROOP for himself for tomorrow's session.

REPORTS FROM COMMITTEES

Mr. FLACK, from the Committee on Municipal Corporations, reported as committed, House Bill No. 341, entitled:

An Act abating the penalties and interest on certain unpaid delinquent county, city, borough, town, township, school district, poor district and county institution district taxes and on municipal liens; and providing for the publication at the cost of the county, of a notice of the provisions of this act.

Mr. GARBER, from the Committee on Counties, reported as committed, House Bill No. 481, entitled:

An Act to further amend sections three hundred twenty and three hundred twenty-three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by providing for retirement allowances to all county employes who are dismissed after having not less than twenty years service.

Mr. FLACK, from the Committee on Cities—Second Class, reported as committed, House Bill No. 710, entitled:

An Act providing for the equalization of salaries for tipstaves in the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace, county court of Allegheny County and orphans' courts, in counties of the second class.

Mr. IMBRIE, from the Committee on Labor, reported as committed, Senate Bill No. 202, entitled:

An Act to further amend paragraph (a) of section four of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court: providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by making further changes in the qualifications of members of the Pennsylvania Labor Relations Board.

Mr. SOLLENBERGER, from the Committee on Counties, reported as committed, Senate Bill No. 238, entitled:

An Act to amend sections four and six of, and to add section 7.1 to, the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commissions, after popular referendum, and the appointment of their members by the county commissioners; prescribing the powers and duties of such commissions," providing that the Secretary of Agriculture cooperate with, and be a member exofficio of the county mosquito extermination commission; prescribing powers and duties of the Secretary of Agriculture and said commissions; providing that costs of abating nuisances from breeding of mosquito larvae may be assessed against lands where breeding exists; and providing that said act shall not apply to counties of the first class.

Mr. ELDER, from the Committee on Fisheries, reported as committed, Senate Bill No. 295, entitled:

An Act to further amend section two hundred fifty-four of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the Board of Fish Commissioners to close streams, or parts thereof, for a certain period after stocking the same.

Mr. BENTLEY, from the Committee on Municipal Corporations, reported as committed, Senate Bill No. 298, entitled:

An Act providing for and regulating the accumulation, investment and expenditure by counties, cities, boroughs, incorporated towns and townships, of funds for post war projects.

Mr. WALLIN, from the Committee on Education, reported as amended, House Bill No. 444, entitled:

An Act to further amend sections two thousand six hundred three and two thousand six hundred twenty-three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provision by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school districts of the third class, in certain cases, to employ certified public accountants to audit the school finances in lieu of the elected auditors; and providing as to the powers, duties and compensation of the certified public accountants so employed.

Mr. DENNISON, from the Committee on Fisheries, reported as amended, House Bill No. 758, entitled:

An Act to further amend section fifty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the Board of Fish Commissioners to adopt certain rules and regulations governing the taking of fish by trolling from moving boats, electrically propelled or propelled by internal combustion motors, and making it unlawful to engage in such trolling in violation of the rules and regulations thus adopted.

Mr. NOWAK, from the Committee on Labor, reported as amended, House Bill No. 828, entitled:

An Act to further amend section one and paragraphs (a) and (b) of section three and sections four and seven and amend section five of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "An act to protect the public health and welfare, by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work, by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commission of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," by changing the definitions of "week" and "day," by increasing the hours of labor and temporarily suspending certain restrictions on employment.

Mr. McSURDY, from the Committee on Labor, reported as amended, House Bill No. 873, entitled:

An Act to further amend section one and further amend section four of the act, approved the thirteenth day of May, one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health, safety, and welfare of minors: By forbidding their employment or work in certain establishments and occupations, and under certain specified ages; by restricting their hours of labor, and regulating certain conditions of their employment; by requiring employment certificates for certain minors, and prescribing the kinds thereof, and the rules for the issuance, reissuance, filing, return, and recording of the same; by providing that the Industrial Board shall, under certain conditions, determine and declare whether certain occupations are within the prohibitions of this act; requiring that certain minors shall, during the period of their employment, attend certain schools, to be established as therein provided, and to be approved by the State Superintendent of Public Instruction, and regulating the conditions of such attendance; authorizing the State Board of Education, in certain cases, to appoint attendance officers to aid in enforcing the provisions of this act, and creating the salary and expenses of such officers a charge against the school district wherein they are employed; requiring certain abstracts and notices to be posted; providing for the enforcement of this act by the Commissioner of Labor and Industry, the attendance officers of school districts, and police officers; and defining the procedure in prosecutions thereunder, and establishing certain presumptions in relation thereto; providing penalties for the violation of the provisions thereof; and repealing all acts or parts of acts inconsistent therewith," by changing the definition of "week" by increasing the working hours of minors between the ages of sixteen and eighteen.

Mr. FREED, from the Committee on Cities—Third Class, reported as amended, Senate Bill No. 37, entitled:

An Act to amend section five hundred forty of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," further regulating the adjustment of indebtedness where part of a township is annexed to a city of the third class

Mr. COOK, from the Committee on Boroughs, reported as amended, Senate Bill No. 39, entitled:

An Act to amend section seven hundred seventeen of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," further regulating the adjustment of liabilities and property where part of a township is annexed to a borough.

HOUSE BILL No. 49 TAKEN FROM TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that House Bill No. 49, together with the message from the Senate which were laid on the table April 13, 1943, be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 49.

An Act to amend the title and sections one to twelve, both inclusive, of the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 3), entitled "An act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania, or any part thereof, shall be in active service of the United States," changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, last line of title, by inserting after the word "Guard" the following: "and authorizing additional annual allowances to uniformed officers for arms uniforms and equipment."

Amend Section 1, page 6, line 20, by inserting after the word "Governor" the following; "and in addition thereto if found necessary the Governor may prescribe a further allowance not to exceed thirty dollars ($30.00) in any one year for each officer."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. LICHTENWALTER. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

REPORT AND DISCHARGE OF COMMITTEE

Mr. JAMES. Mr. Speaker, your committee appointed to wait upon the Senate and escort that body to the Hall of the House for the Joint Session has performed that duty and the Senate is now present.

The SPEAKER. The Committee is discharged with the thanks of the House.

The President of the Senate is invited to preside over the Joint Session of the General Assembly and the President pro tempore is invited to a seat on the rostrum.

The Members of the Senate and House will remain standing until called to order by the President of the Senate.

JOINT SESSION

LIEUTENANT-GOVERNOR JOHN C. BELL PRESIDING

LIEUTENANT-GOVERNOR BELL. The Joint Assembly will be in order pending the arrival of the Governor, and the distinguished guests.

The SERGEANT-AT-ARMS OF THE SENATE. Mr. President, I present to you the Committee appointed to escort the Governor to the Hall of the House.

Mr. LETZLER. Mr. President, we have the pleasure and the honor of presenting to you His Excellency, the Governor of the Commonwealth, the Honorable Edward Martin, and the distinguished guests.

The PRESIDENT. Senators Stiefel and Stevens will come to the platform as members of this Committee.

Members of the General Assembly, the Chair has the pleasure of presenting the Chairman of the Thomas Jefferson Bi-centennial Commission of Pennsylvania, our distinguished colleague, Senator Dr. Leroy E. Chapman.

Mr. CHAPMAN. The Thomas Jefferson Bi-centennial Commission was created by an act of the Legislature to give expression of our admiration of Thomas Jefferson's personification of democracy.

We had extensive pre-war plans for the celebration but found in order not to diminish the war effort those plans had to be curtailed.

Thomas Jefferson, the symbol of the Declaration of Independence, the statute of freedom, and Governor of Virginia, the president of the University of Virginia and of the United States, we honor him who has sworn on the altar of God, eternal hostility for every form of tyranny over the mind of man.

The PRESIDENT. The Chair now has the pleasure of presenting Dr. Robert L. Johnson, former Relief Admintrator of Pennsylvania, President of Temple University, Chairman of the State-wide Jefferson Bi-centennial Commission of Educators, a man noted for his outstanding ability and accomplishments.

Dr. JOHNSON. Mr. President, Governor, Members of the General Assembly, distinguished guests, when I was honored more than a year ago, by being named Chairman of the State-Wide Jefferson Bicentennial Committee, it was my thought that through a program that would be carried into every home and school and forum in the state, we could make Thomas Jefferson live again, and re-introduce to us those principles which his generation fought to establish, and ours fights to save. Few of us realized how then, heavy would be the war's demands on public time and attention. We know now. The result is this meeting today. We couldn't go to the people in all of Pennsylvania's towns and boroughs, but we could do the next best thing. We could go to their duly elected and trusted law-makers, and we could ask them, as our emissaries, to take the message of Jefferson back to the homes and schools which they so ably represent. This we do.

There is nothing strange or new about this message. You know it well. And that is precisely why it should be re-examined. It must never become a commonplace.

It would seem logical to look at it first in its original setting.

Early in 1826 an old man looked across the lawn from the great house on a Virginia mountain top. It was the house to which he had brought the bride of his youth and in which he had lived out his life, except for sojourns, some of them long ones, in Williamsburg, Washington, Philadelphia, Paris, and other places where public duty had called him.

The hills about Monticello were becoming green, and life was astir again, but for himself, the master knew the sands were almost run out. Hence, though he seemed to look into the valley, he really was looking down through sixty years of public life, and making an evaluation.

He had been governor of Virginia, minister to France, Washington's Secretary of State, and the Vice President under John Adams. Himself the president for two terms, he had been, as an elder statesman, the counselor and confidante of the two men who successively followed him in office—Madison and Monroe. Thus one might almost say he had been part of five national administrations, a record still unsurpassed.

He had doubled his country's domain by the Louisiana Purchase, he had founded a new political party, he had secured the adoption of the decimal system of currency, he had obtained legislation that forbade the importation of slaves, and its inventive genius had given mankind many minor, but substantial satisfactions. One was that symbol of authority and instrument of relxation, the swivel chair. Another was the leather top buggy, which has utilitarian and romantic associations for the minds of millions of men and women still alive.

Perhaps these and other achievements flashed through his mind as he evaluated his career, but his judgment unerringly rested on three deeds that might merit most the remembrance of his countrymen. Then, while time and strength still remained, he wrote that simple epitaph: "Here was buried Thomas Jefferson, author of the Declaration of Independence, of the Statute of Virginia for Religious Freedom, and Father of the University of Virginia."

Each of these services represented a major freedom for which he had striven. They were freedom from political tyranny, freedom of conscience, and freedom from ignorance.

I propose, then, on this 200th anniversary of this man's birth, that we accept his own evaluation, and organize our thinking around the three freedoms that he believed to be the most significant accomplishments of his life.

It does not matter really, of course, whether we talk about three freedoms, or four freedoms or ten freedoms. We can discuss the freedoms inscribed on a Virginia tombstone or those drawn up for the Atlantic Charter. The conclusions that we reach will be the same.

Freedom is not a limited quantity that can be segmented, labeled, or pigeon-holed. It is a cumulative force that has new dimensions, and new manifestations in each generation. Like every other force in nature, freedom is always confronted, by an opposing force. This means that every generation must win its own freedom in conflict—if not, in physical violence, then in intellectual or spiritual struggle. The point is that freedom cannot be securely packaged and sent insured to a person who is remote in time or space. It is a privilege that must be earned.

Jefferson's age was in some respects much like our own. In his administration the little American fleet was fighting along the shores of North Africa, bombarding the cities of Tripoli as our great air fleets are today bombing the cities of Tunisia just next door. Our foes then were Moorish pirates—fairly jolly fellows who were intent only in plying their trade of piracy and extortion on the high seas. They had no thought of enslaving whole peoples, and fettering their minds, as well as their persons.

Jefferson also saw the rise and fall of a European despot whose might was broken on the snowy plains of Russia, and whose defeat was accomplished by a combination of nations on the western front. The imminence of a historical parallel to this, in our own times is pleasant to contemplate.

But the important thing is that a revolutionary movement was sweeping the world in Jefferson's time as it is sweeping it today, and America was caught up in it then, as it has been now. The only difference is in the direction of the pendulum's swing. That revolution was started to make men free; this one was started to make men slaves.

Jefferson's contribution both to that struggle, and to this, was a set of principles, and his faith in the common man. This has always been the secret of democracy's strength. Jefferson knew that men in whom others believe, come to believe in themselves. Nothing is more magnificent than the deeds that can be done by persons of only ordinary ability, who thoroughly believe in themselves. As a business executive, I have usually found that when I am depending on a man, and I let him know it, he proves to be dependable. One of the most thrilling things about a university president in these difficult times is seeing boys—and girls, too, rise to accept the responsibilities of men and women under the compulsions of war. They seem to mature overnight. They have a hard job, a perilous job to do. But they will do it. Their families, their university, their country believe in them.

Democracy works like that. It treats its people not as subjects, but as partners in a common enterprise.

Jefferson expressed the ideal for democracy when he said:

> "When every man feels that he is a participator in the government of affairs, not merely at an election one day in a year, but every day, when there shall be not a man in the State who will not be a member of some one of its councils, great or small, he will let his heart be torn out of his body, sooner than his power be wrested from him by a Caesar or a Bonaparte."

The ideal of every man belonging to some council, great or small, was lost in the rapid growth of our country, but when peace returns, and the sense of emergency passes we shall again be faced with the problem of getting the results that would come from wide participation in local government.

"Every government degenerates," said Jefferson, "when trusted to the rulers of the people alone. The people themselves, therefore, are the only safe depositories."

It is true that almost every defect in our government has stemmed directly, or indirectly to "political apathy," in great masses of our population. This apathy may be expected to increase in proportion to the growth of centralization in government, and the increase in our population. After the war, the solution of this problem will continue to be America's first item of unfinished business.

Local institutions always seemed important to Jefferson. Although his broad culture and urbane spirit placed him at ease in foreign embassies and in the courts of the world, his heart was always in Albemarle County, Virginia. Strong state government and able administrators at the helm in the several states were essential to his political theory for several reasons. In the first place, he feared dictatorship, and he counted on the states to provide grassroots opposition that would be strong enough to balk the ambition of any man who would be a Caesar. Secondly, he understood enough about engineering to know that the more rigid is a structure, the more likely it is to give way under severe strains, and he was afraid that a government strongly centered in the nation's capital would be unable to withstand the strain of clashing state and sectional interests.

For these reasons, Jefferson, along with Washington, has sometimes been tagged as a provincially-minded Virginia squire, who would be wholly unable to appreciate the united efforts of nations associated, to secure themselves against depotism, and to establish a rule of freedom and justice.

To speculate on what an eighteenth-century statesman would do if he were confronted with the twentieth century's problems of state, is a pastime that is innocent and diverting, though usually without profit. Every man is the product of his own time and place, and serves only that time and place. Many excerpts may be found in Jefferson's voluminous writings that would be labeled isolationist if uttered by a contemporary, about contemporaneous matters. But his principles must be viewed as a whole, and the man himself must be studied against his own background. Such study reveals nowhere a feeling that America, in this shrinking world, can withdraw from the family of mankind. This great humanitarian believed that the highest moral codes controlling the relations of individuals, should likewise guide conduct of the nations toward one another, but he recognized there was little likelihood of this, unless such codes were supported by some enforcing authority.

In Jefferson's time, as in ours, many suggestions were being made for a federation of European states on the order of the union of states in America. If he was skeptical of this planning, it was because he saw only too clearly that such unions were doomed to fail unless their members shared common principles such as those that bound the American colonies.

The three freedoms which Jefferson's epitaph commemorates cannot be discussed separately. They are closely intertwined and none could survive without the others. The Declaration of Independence gave a complete theory of government but that government can stand only when supported by men who have unfettered consciences and who have been the beneficiaries of universal education.

All three of these concepts of freedom are the products not only of a great mind, but a great heart. Jefferson's greatness rests as much on his love of human kind, as on his intellect. His theory of government is a practical expression of the doctrine of human brotherhood—"that all men are created equal."

He didn't believe, of course, that all men are alike, intrinsically, for natural endowments vary, but he wanted the artificial obstacles removed that might prevent men from winning such positions as they deserved That may be worth remembering, when we turn our critical fire on that element of the American character that we call individualism. Jefferson was always the individualist. His whole career emphasized not machines, or money or organization, but men. He believed in individuals and sought to give them opportunity. That was why his views of democratic government do not take the form of blueprints. He happens to have been not only a statesman, but one of the great architects of his time, yet his plans for the American state include few rigid specifications. As a student of history, he knew that no government was so bad, it would not work well in good hands, nor was any government so good it would not work badly, in bad hands.

Our post-war planners—and I think there is hardly a man alive who does not have some plan for the brave new world—ought to accept that truth, as a starting point. Broad principles to work with, and man of good will to build on those principles—that, is the beginning of all good governmental enterprise.

As it is with government, so it is with religion. Jefferson believed religion should rest on the basis of love, not of force. Ecclesiastical despotism was as hateful to him, as political depotism. Moreover, religion does not need the support of government to enable it to overcome error.

> "Truth", he said, "is great, and will prevail if left to herself. She is the proper and sufficient antagonist of error and has nothing to fear from conflict unless disarmed of her natural weapons, free argument and debate."

This argument, which he applied to freedom of conscience, he likewise used in support of freedom of the press.

That's the way freedom is. Once it comes into being you can't set limitations to it. Freedom in government leads to freedom of conscience which involves freedom of speech and press, which means freedom in education, which brings greater freedom in social and economic relationships. Freedom in one nation contributes to freedom in other nations until finally no nation feels secure in its freedom, unless that freedom is shared by all nations. Thus you see what a dynamic force it was that Jefferson and his contemporaries were releasing on an unsuspecting world. No wonder many men feared it, both in this country and in England. Their intellectual descendants still fear it, and perhaps with good reason.

The freedom of the press is a case in point. I suppose no American has had better cause for resenting utterances of the press that were both unfair, and untrue than did Jefferson. He lived in a time which historians have called the era of black journalism, and many were the moments in his career when the air about him was thick with the dead cats being hurled at him by his journalistic foes. Yet he took it philosophically, sometimes jocosely.

Musing on the scurrility of the Federalist press, he once reflected:

> "It is like the chimneys to our dwellings; it carries off the smoke of party which otherwise might stifle the nation."

So great, in fact, was his faith in the triumph of truth, that he gave to newspapers one of the highest tributes ever paid by a man in public life, when he said that if he must choose between government without newspapers, and newspapers without government he would not hesitate to choose the latter. He knew that government without newspapers, or some other form of public correction, was the surest path to dictatorship.

I believe one of the important contributions to the present-day war effort has been critical comment by the newspapers on that effort. Some of that criticism has been unfair, some has been inspired by political motive, but I know of no way of eliminating only bad criticism. We must accept all kinds in the interest of good government.

If I were in public life and holding elective office, I would put the life and writings of Thomas Jefferson at the top of my list of required reading. I would do that regardless of what label I carried on my political banner. After all, Jefferson does not belong to the Democratic Party, any more than Lincoln belongs to the Republican party. He belongs to the American people, and his qualities of statesmanship are the essentials of political success.

I have mentioned his willingness and ability to accept the sharp barbs that come to all men who fight in political wars. This was only a phase of his larger serenity. As Claude Bowers says, his hates were reserved for principles, policies, and systems, not for men. John Adams, his political foe of middle life, was his "ancient friend" in the years of their retirement. Alexander Hamilton, when he cast the vote that made Jefferson president, said that if there was any man in the world he ought to hate, it was Jefferson, but the public welfare compelled him in his choice.

To be most successful in politics, one should sincerely love and respect mankind in the mass, for love begets love. Jefferson believed in the common man, and the common man placed its faith in Jefferson.

That was the difference between Jefferson and Hamilton. Hamilton feared, and distrusted the masses. Both men, of course, were right. Nothing in the world is more dangerous, more fearsome than great masses of ignorant people. The point is that Jefferson looked one step beyond that condition. He knew that ignorance need not be the natural state of men. Give a boy a book, a teacher, and one or two discerning friends; give him a desire for good things, reveal to him his natural talents, and help him to develop them. Do these things, and you will have, an earnest citizen, who will serve the state, as well in his smaller sphere as will the few who are called to leadership.

Here then is Jefferson's third freedom—freedom from ignorance. It is the freedom that upholds his structure of government. As Jefferson himself put it in a letter to his friend George Wythe:

> "I think by far the most important bill in our whole code, is that for the diffusion of knowledge among the people. No other sure foundation can be devised for preservation of freedom and happiness . . . Preach, my dear sir, a crusade against ignorance; establish and improve the law for educating the common people. Let our countrymen know that the people alone, can protect us against these evils, and that the tax which will be paid for the purpose is not more than one thousandth part of what will be paid to kings, priests, and nobles who will rise up among us, if we leave the people in ignorance."

Jefferson was an aristocrat. His mother was a Randolph —and every Virginian knows what that means—and his father was not only well born, but was a landed proprietor who needed five overseers and a bailiff to look after his vast estates. But Jefferson did not believe in a closed shop for aristocrats. He believed we should take the sons and daughters of Pennsylvania farmers, Philadelphia shop keepers, and Pittsburgh factory workers, and lift them to the level of aristocracy—not the aristocracy that defines itself, by wealth and family name, but that which is defined by proven talent and manifest virtue. This republic, this thing of the people, will be preserved, if it is preserved, pause by the common people, for they will always predominate in number. They must be prepared for that rule, then, as carefully as the scion of any ruling house in Europe.

As early as 1779, Jefferson introduced a bill into the Virginia Assembly which elaborated a plan for sifting out the ablest youngsters, from among those whose parents were unable to give them further education, and sending them on through the University. Thus he became perhaps the first public figure in this young nation to espouse the cause of state aid for higher educatoin. Mass education, to make mass rule workable, and tolerable, was Jefferson's plan.

The pity of it is, of course, that we have never really tried it. Jefferson made a beginning, but colleges and universities have never been able to provide for more than a scant fraction of the boys and girls whose education would enrich the nation. We are suffering in today's emergency for that neglect, and trying desperately to remedy it with hastily organized courses of intensive training under both public and private auspices. When peace breaks out in this world again, as sometime it will, the character of this training will change, but the need for it will not diminish. It may increase. The problems of peace are hard, and whatever the terms of that peace, our freedom will not be secure. Freedom is too precious a commodity ever to be secure.

At the moment, freedom is experiencing a rebirth. It is being reborn, in blood and anguish. By happy coincidence that event is being attended by this bicentennial celebration, honoring the man who has become the symbol of our freedom. Thus we receive a double measure of inspiration, and we shall have need of it. In the years ahead, we are so likely to forget the meaning of our heritage. It will be easy to grow content within ourselves, and neglect the principles within which we have our being.

Jefferson never did. That's why we are here. He had had a unique experience. The impact of events gave to him a new understanding of human rights and values. He wrote those principles down in Philadelphia, to become the charter of a struggling people. He repeated them in the Continental Congress, and in Virginia's House of Burgesses. He uttered them in public debate, penned them in letters to other men in public life, and wrote them into state papers that fill fat volumes in the national archives. And in his death, he named them again as the inscription for his tomb. For fifty years, he was freedom's watchman.

Were he alive today, I don't know whether he would call himself a Republican or a Democrat, a liberal or conservative, a member of the farm bloc, or the labor bloc, but I do know he would still be keeping vigil for freedom. He would enjoy being in this legislative chamber with us today. For this represents local self-government at work—the truest form of democracy. He loved it. Again I say, then, when we return to our wards and precincts and legislative districts, let us take him back with us in spirit. Let us take him back to our neighbors and constituents, that he may enroll them again in freedom's eternal crusade.

The PRESIDENT. The Chair presents Francis E. Zabkar, Senior at Penn State, and James M. Gammon, a Junior at West View High School in a suburb of Pittsburgh, who won the oratorical contest conducted by the "Sun Telegraph" of Pittsburgh in connection with the Jefferson Bi-Centennial. These boys will deliver the orations which won them a prize.

It is a pleasure now to introduce to you Francis E. Zabkar of Penn State.

Mr. ZABKAR. Mr. President, Governor, Members of the General Assembly, distinguished guests:

This afternoon we pay tribute to a great and inspiring American; a man whose unwearying mind defended those ideals which have become the American principle of government, based on the idea that all men are created and endowed by God with the inherent and inalienable rights of life, liberty and the pursuit of happiness. One of the most versatile and profound thinkers of all time, Thomas Jefferson was, during his lifetime, a philosopher, a political genius, an inventor, a naturalist, a scientist, and a scholar. His genius was recognized in each of these various fields, yet his greatest achievements were unquestionably in his struggle for the principles of Democracy and the fruits of his unshakeable, faith in the morality, latent integrity, and political honesty of the common man.

At a time when the powers of government were vested in the hands of a privileged aristocracy, Thomas Jefferson took upon himself the organization of the forces of Democracy, and fought, no less earnestly than we fight today, against the enemies who sought the destruction of his ideals.

Jefferson's contributions, throughout his lifetime are far too numerous to enable us to have a complete understanding and appreciation of their worth; to realize fully the significance of his principles and political ideals is to understand the soundness of that government for which the free world is today fighting.

Thomas Jefferson firmly believed that that government would maintain itself in strength which drew its power from the natural aristocracy of the common man. He visualized a government which would restrain men from injuring one another, which would allow them to regulate their own pursuits with a minimum of interference, and would protect their rights with a constitution, whose precepts would stand as the rock on which that nation would rest. He fully realized the necessity of a division of authority in three branches of government, and a system of general education, which would enable men to judge for themselves what would secure and what would endanger freedom, and the preservation of local governments which he prophesied would be the main strength of the great government. He believed in the rule by the majority, with recognition of the rights of the minority, the civil over the military rule, and an honest friendship with all nations. Above all however, Thomas Jefferson was convinced that this government must exercise a jealous care of the right of election by the people, an equal and exact justice to all men, and the long cherished freedoms of speech, press, and religion. These principles he religiously defended and unselfishly endowed with the people of his time in the expression of that government to which he gave so much.

And today, that government stands in greatness. Through the difficult years that have passed since the death of Thomas Jefferson, America has held increasingly close his cherished ideals; her system of free education, her right of election by the people, the division of authority in three branches of government, equality among men, the people as a source of final power, and those freedoms guaranteed in the bill of rights. America will live on, under God, in ever increasing greatness; she will triumph over those enemies who preach the anti-thesis to Jefferson's ideals—who destroy the freedom of the individual, who kill the resistance of the minority, who eliminate local governments, who have respect for nothing, other than the will of their perverted minds. This nation will live to preserve and restore the light and liberties, where now they are clouded under barbarism and tyranny. As Thomas Jefferson based his claim to remembrance on his Declaration of Independence, which is the covenant of Democracy, on his ordinance of Religious Freedom, which banished intolerance and freed the conscience of man, on his founding of a university, designed to munition the mind for the preservation of the liberties of man, so America today finds here greatness and strength in those Democratic ideals which were his primary concern. The triumph of Jefferson is the triumph of America.

The PRESIDENT. James M. Gammon, a Junior at West View High School will now deliver his oration.

Mr. GAMMON. Honorable Members of the General Assembly, Ladies and Gentlemen:

It was July 4 1826. Within the first mansion of Virginia Thomas Jefferson was dying. Warm rays of golden sunlight cast brilliance over the lawn and gardens of Monticello. The very atmosphere was seemingly permeated by the serenity which had characterized the life of the philosopher-president. Slowly—with the labor born of mortal exhaustion, Jefferson called for his portfolio of private papers and carefully extracted one. He offered it to his daughter Martha. It was his epitaph:

"Here was buried Thomas Jefferson, author of the Declaration of Independence, of the Statute of Virginia for Religious Freedom, and Father of the University of Virginia."

Before Martha finished reading, the great American had passed quietly away—noon—the 50th anniversary of Independence Day.

Why do we say "The Great American"? Not because he was the outstanding orator of his time. Patrick Henry was infinitely more eloquent. Not because he was the most successful diplomat. No, Franklin accomplished much more. Not because he was the strongest writer. Madison was far more powerful.

Then, why—"The Great American"? We can find our answer in the words of his epitaph. Jefferson claims greatness because he is the American's ideal American. His very name symbolizes the three basic American principles —Political independence—Religious Freedom—and popular education.

Today, as in 1775, life for an merican becomes meaningless without liberty.

Had Thomas Jefferson been a man of weaker character he might have foresworn the idealistic struggle for political independence. He had so much to lose. He was a member of the landed aristocracy, a sole master of 42,000 acres. He derived a handsome income from his law practice and sat with honor in the Virginia House of Burgesses.

He was an idealist in a materialistic world. In the heat of indignation at English tyranny Jefferson penned those words which have echoed and re-echoed for a century and a half as the political creed of America.

"All men are created equal," because of these words, Jefferson was branded by the Tories as a traitor, a disseminator of sedition, a candidate for any English gallows.

Jefferson was willing to sacrifice for political independence.

Millions of American boys feel the same today. You and you and I are ready to give up life itself—some of us are doing so at this very moment.

In championing religious freedom, Jefferson chose a course dear to the heart of every American. It was for this that the dauntless Pilgrims made a virgin wilderness to blossom as the rose; for this, Quakers gave up comfortable existences to brave the unknown perils of a new world.

It is no small wonder, then, that we, Jefferson's heirs, get fighting mad when the Nazi monsters padlock the Word of God, turn churches into barracks and force helpless men and women to worship a Hitlerian anti-Christ. We vow, with burning fervor that we shall prosecute this war until free men everywhere may worship a God of their own choosing. And by divine providence, it will be so.

When Jefferson stood by the window at Monticello and gazed far off at the pillared buildings of the University of Virginia, he saw no an isolated college—but the beginning of a great education system which would banish the slavery of ignorance from the United States.

Tradition tells that John Adam's last words were: "Jefferson still lives." Over the years that statement has assumed reality. Jefferson does live—he lives in the affectionate memory of his posterity—lives because he stood for principles which are eternally American: political independence, religious freedom, and popular education.

Can we today appreciate this heritage? Are we willing to make sacrifices for it? Dare we even exchange life itself for the perpetuation of this democratic freedom?

The works of Jefferson have charted the course. You must decide if you are brave enough to follow it. The challenge is yours.

The PRESIDENT. We are honored by having with us many distinguished guests. The Chair particularly wishes to call the members' attention to the following members of the Statewide Bi-centennial Commission of Educators:

Clyde A. Lynch, President of Lebanon Valley College.

G. Morris Smith, President of Susquehanna University.

Edwin J. Heath, President of the Moravian Seminary and College for Women.

Theodore A. Distler, President of Franklin and Marshall College.

C. C. William, President of Lehigh University.

A. C. Baugher, President of Elizabethtown College.

Edwin O. Lewis, President Judge of the Court of Common Pleas No. 8 of Philadelphia County, President of the Moore Institute of Art and President of the Society of the Sons of the Revolution.

George E. Lloyd Vice-President of the Pennsylvania Company for Insurance on Lives and Granting Annuities;

Mr. and Mrs. Gammon, parents of James M. Gammon.

Will those ladies and gentleman kindly stand and take a bow.

The Chair has just learned that the father of Frances E. Zabkar is also with us and the Chair would like him to arise and take a bow.

We are also very fortunate in having with us the son of President Judge F. P. McCluskey of Northampton County, Sergeant Frank P. McCluskey of the United States Marines, who has just returned from Guadalcanal. Frank, will you stand up?

Now, Members of the General Assembly, the Chair has the honor and the privilege of presenting his Excellency the distinguished Governor of Pennsylvania, Edward Martin.

GOVERNOR MARTIN. Fellow Americans:

Thomas Jefferson, Third President of the United States and one of the great liberals of America, was born in Virginia, in the frontier County of Albemarle, April 13, 1743. He was a liberal because he believed in freedom of action in all the fields of human endeavor.

His family was wealthy and influential, but what was then the wilderness country of that Blue Ridge county left its mark upon him. He was brilliantly educated in the tidewater town of Williamsburg. He made his mark in Latin, Greek, French, and higher mathematics. From his college days he was the friend and associate of the elite and wealthy group of Virginians, lovers of gambling, horse racing, and all the elaborate social gaiety of the Tidewater Country.

The strong-minded Jefferson indulged in such matters most modestly. He never played cards and never gambled. While Virginia grew tobacco, the tall young man from Albemarle never used it.

Jefferson was a rich man in the America of the 18th Century. He was a good lawyer, a large land holder, and enjoyer an independent income.

Like Washington, he could have gone through life in the easy way. Like Washington, he did not choose to do so.

Jefferson was a politician. Early in his life he held public office. He took part in public life as any good citizen should do—particularly any American citizen. He gave his talents to local, colonial and Federal government. He is one of the few Presidents who have had a complete knowledge of government by actually holding office in every stratum of government.

His first office was Justice of the Peace. He was a long time member of the Virginia Legislature. He served in the Congress of the United States; as Governor of Virginia, and as President of the United States. Before he became President he was a Cabinet officer, Vice-president and Minister to France.

Jefferson was politically minded. He believed in and practiced our two-party system of government. He was the founder of one of the two great schools of political thought in America. He would fight for his party. He did not forget his political friends. He opposed those who always demanded a new political party for each issue. He followed the policy that differences must be ironed out within the party. He would join with his political enemies in issues where the Nation was opposing an alien enemy.

Jefferson disagreed with Washington over many of Washington's political philosophies, yet he fully agreed that America should avoid foreign political alliances. He was for America, at all times, whether America was right or wrong.

The tall Virginian believed that the best government is the government that governs least. He wanted the utmost simplicity in government. He firmly believed in the people and in the individual American. He was opposed to class rule and to any one creating class hatreds. His religious attitude was deeply reverent. He held that any man's right to his own convictions was inalienable.

Jefferson was a great political leader and political manager. He could pick loyal and true men. He surrounded himself with those upon whom he could depend. Like any other American who really believes in the ideals of this Republic, he had implicit faith in the people, feeling that when the people understood a problem their common sense would prevail.

Americans, in order to have a more profound understanding of their own government, should study the lives of the men who created the plan of government for the United States. Anniversaries are a splendid time to consider the achievements of great Americans.

It is most fitting that the Legislature should observe the 200th anniversary of the birth of Thomas Jefferson. He had many accomplishments. He did many things for America, but the Declaration of Independence was his greatest achievement. He wrote that immortal document on Pennsylvania soil. It was adopted in Pennsylvania.

Therefore, next to Virginia, his mother State, Pennsylvania has the greatest claim upon him.

Jefferson was a statesman-politican. He was continually offering new ideas, but he knew that these ideas were useless in a republic unless they were approved by the people. Too many of what we might term our "statesman class" fail to recognize that in our form of government the people rule. Any statesman who feels his ideas should be immediately approved, without full public consideration, is to that extent a dictator.

Jefferson believed that the least governed are the best governed. He encouraged incentive and competition, for in that way you make a better and stronger citizen. He described a wise and frugal government as one "which will restrain men from injuring one another, which shall leave them otherwise free to regulate their own pursuits of industry and government and shall not take from the mouth of labor the bread it has earned."

He belonged to that magnificent group who, at the end of the Revolution, held that freedom and security could not live in the same government, that it required high courage to give up security for freedom.

The King of Great Britain was willing to give a little security but he would not permit freedom of speech, freedom of the press, freedom of religion, and freedom of assembly. Jefferson warned the people that "We must make our selection between economy and liberty, or profusion and servitude."

If Jefferson lived today he would undoubtedly demand freedom of action. And, if he could rise from the grave on the hilltop at Monticello, what could he think with the world on fire and with dictators holding more power than in any dynasty in the history of the world?

Jefferson demanded and fought for a simple form of government. He felt that each branch of government and each level of government should depend upon its own resources. Unquestionably he would be surprised and undoubtedly he would oppose the sweeping tendency toward centralization in our State governments and our Federal Government. He would deplore the presence on local, State and Federal payrolls of five million men and women. Even in that long ago day he said: "I think, myself, that we have more machinery of government than is necessary, too many parasites living on the labor of industries. I think it might be much simplified to the relief of those who maintain it."

Jefferson dreamed of and fought for a system of free education but he never dreamed that education, welfare and the building of roads would become so highly centralized as they are on this the 200th anniversary of his birth. If we want anything now, we go to a central government. This tendency includes local government, State government, and all our civic bodies. They all seem to think that State and Federal governments have an inexhaustible supply of funds. This tendency is directly contrary to the political philosophy of Thomas Jefferson.

On this the bicentennial of his birth, we can all study the simplicity and directness of that great Virginian with profit to ourselves and our country.

He always contended that each function of government had its proper place and one must not encroach upon the other. He believed that extravagance was a more painful evil than Toryism.

Keeping in mind the stark simplicity of the Jefferson political philosophy let us consider some of the proposals now being offered for the post-war period. They should cause us to Stop, Look and Listen. In its massive report to Congress, the National Resources Planning Board pictures a plan for security. Its staggering cost cannot be comprehended by any statesman or any business man.

Woven into this gigantic scheme is a partnership between Government and industry. When any government puts the people's money into any enterprise, then government immediately becomes a partner. And when government becomes a partner, it becomes the senior and controlling partner. Nowhere in Jefferson's political philosophy is there any approval of such a policy.

America became great because our people, under fine leadership, had the courage to seek and win freedom.

Today, I confidently believe the salvation of America depends upon maintaining free enterprise at home. This system in cooperation with the government as a strong arbiter and umpire, can find the way to absorb into free industry all the labor in this country. In that way we can continue to build for American greatness and individual freedom when the war is ended.

I believe that every American should carefully read the biography and political philosophy of Thomas Jefferson. He was a great American. He was a great liberal who understood the true meaning of liberalism. His ideas and ideals should help us to solve some of the tangled problems that confront us now.

I congratulate the Committee having in charge these exercises. We have exemplified here today the American form of government in its finest form. The Members of the Legislature, representing the different schools of thought, leave their deliberations to come here and consider things which will improve the greatness of our country. It is fine to have on this program the head of one of the leading Universities of this Commonwealth, and I welcome him.

It is a pleasure to welcome these two young men, the one from State College and the other from one of the western Pennsylvania High Schools who have given these magnificent orations. I hope that all the school children of this Commonwealth will study as these two young men have studied, and have greater knowledge of the greatness of their government.

I want to say to you that the young man from State College is attending State College through the courtesy of one of your colleagues, Senator Dent. His father was one of my fine soldiers in France in World War 1. The great form of government; it was worth while for Jefferson to fight for it; it is worth while for Americans to fight for it today. Thank you very much.

The PRESIDENT. Governor Martin, Senator Chapman, Doctor Johnson, on behalf of the members of the General Assembly I want to congratulate each of you for your splendid addresses; Francis Zabkar and James Gammon, I want to congratulate each of you on your eloquent orations. I am sure I speak for the Assembly when I say we are proud of you.

The committee on the part of the Senate and of the House of Representatives will now escort Governor Martin and his official party to his chambers.

The purpose for which the Joint Session was convened having been consummated, the Joint Session is now adjourned. The Senators will return to and reassemble in the Senate Chamber.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

PROCEEDINGS OF JEFFERSON BIRTHDAY CELEBRATION NOTED IN JOURNAL

Mr. LICHTENWALTER. Mr. Speaker, I move that the proceedings of the celebration of the two hundredth anniversary of Thomas Jefferson's birthday just concluded in this House be spread upon the journal of the House.

The motion was agreed to.

RECESS

The SPEAKER. If there is no objection the Chair is about to declare a recess until 3 p. m. Is there objection? The Chair hears none and a recess is declared until 3 p. m.

AFTER RECESS

The House reconvened at 3 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. COLEMAN for himself for the remainder of the week.

Mr. GRANT for himself and Mr. SWOPE after 4 p. m. today.

BILLS READ AT LENGTH

Mr. COHEN. Mr. Speaker, in accordance with the provisions of the Constitution, I request that all bills be read at length.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 26, entitled:

An Act authorizing all counties, cities, borough, incorporated towns, townships and institution districts, except counties and cities of the first class, to place their respective officers and employes in the State Employes' Retirement Association; prescribing the procedure to be followed; and authorizing a special tax to pay the expenses incident thereto; placing certain duties upon the State Treasurer, and the fiscal officers of the said municipal units; prohibiting the future establishment of local pension or retirement systems; and providing in certain cases for the discontinuance of existing ones.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 150, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," excluding services of real estate salesmen real estate brokers and unsalaried newspaper correspondents from the definition of "employment."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 156, entitled:

An Act to amend section three hundred two of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," exempting for the duration of the present war, any persons in the armed forces from the payment of a fee to the Commonwealth for resident hunting licenses.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 195, entitled:

An Act relating to assessment of real estate for taxation in counties of the second class.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 364, entitled:

An Act to amend the title and to further amend sections one, two, and three of the act, approved the twenty-first day of May, one thousand nine hundred thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," giving each political subdivision having tax or municipal claims against any such real property, the right to petition court for a compromise agreement or sale authorized by the act, and extending the time for the holding of a hearing thereon.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 486, entitled:

An Act to amend the act approved the fifth day of May, one thousand nine hundred thirty-three, (P. L. 457), entitled "An act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors shareholders, solicitors, and other employes; prohibiting the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts," further defining the rights, powers, duties, liabilities and immunities of building and loan associations and their shareholders and creditors.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 501, entitled:

An Act regulating the lien of judgments; prescribing the procedure for the revival of judgments, and for the continuance of the lien thereof; and repealing certain acts and parts of acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 518, entitled:

An Act to amend section one thousand seven hundred twelve of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania; together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," prescribing the course in the history of the United States to be taught in high schools.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 578, entitled:

An Act relating to chattel mortgages on livestock, poultry, farm machinery, farm equipment and crops, grown, or to be grown designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees, providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations and fixing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 607, entitled:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled, as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 608, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring upon said county court jurisdiction in certain criminal actions and in divorce, appeals from the Workmen's Compensation Board, and appeals from the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 665, entitled:

An Act to amend section three hundred sixteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the provisions to include officers and employes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 700, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making any attempt to commit rape a felony; prescribing the penalty therefor; and providing that whoever attempts to commit any offense made punishable by said act, without completing such offense, may be separately indicted, tried and convicted for such attempt.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 757, entitled:

An Act to abolish the State Soil Conservation Board in the Department of Agriculture and all soil conservation districts founded or being founded; to repeal the act approved the second day of July, one thousand nine hundred thirty-seven (P. L. 2724), entitled "An act relating to soil conservation and soil erosion, and regulating land use practices contributing to soil wastage and soil erosion; providing for the organization of soil conservation districts, as governmental subdivisions of the Commonwealth, with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources; prescribing the officers and employes thereof, and defining their powers and duties; creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act; providing financial assistance to such soil conservation districts; prescribing penalties; and making an appropriation," and its amendments.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1092, entitled:

An Act to amend section twelve of the act, approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 710), entitled "An act allowing and regulating boxing, sparring, and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," changing the minimum age for participants in amateur boxing, sparring and wrestling matches and exhibitions and providing a penalty.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 407, entitled:

An Act to amend section three of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," providing for the waiving of the requirement for the holding of meetings by societies under certain conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 843, entitled:

An Act to further amend section three hundred twenty-one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by conforming said section to existing law by requiring the tax imposed hereby to be reported and paid to the Department of Revenue instead of the Insurance Commissioner.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1071, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to co-operate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" declaring the legislative intent restricting the powers of the Department of Public Assistance and the State Board of Public Assistance extending the powers of county boards of assistance and making provision reciprocal with other states for assistance to certain aged persons.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 483, entitled:

An Act to reenact and further amend section one of the act, approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work; providing for the correction of unsafe conditions in and unsafe operation of such mines, and for remedies to close such mines until such conditions are corrected; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 377, entitled:

An Act to further amend section eight hundred and twenty-three of the act, approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," changing the penalty for violation of provisions relating to official inspections.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 505, entitled:

An Act to further amend section one thousand seven hundred eleven-A of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," requiring the Commonwealth to reimburse school districts operating joint high schools for cost of tuition thereat.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 668, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger consolidation, and dissolution of such corporations conferring certain rights, powers, duties and immunities upon them and their officers and members, prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 669, entitled:

An Act to amend sections three, four, nine, and nineteen of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1125), entitled "An act providing for the regulation and supervision of non-profit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department, and defining the functions of such departments with respect thereto; authorizing certain departments, commissions, officers, and other agencies of the State and its political subdivisions to subscribe, under certain circumstances, to the medical service plan of such corporations on behalf of persons of low income; prescribing legal investments for the funds of such corporations, and the rights of doctors of medicine to register with such corporations; conferring authority on the Department of Health and on the Insurance Commissioner, each within its own sphere of lawful activity, to regulate and supervise such corporations; conferring certain rights, powers, duties, and immunities upon such corporations and their officers and members; prescribing the conditions on which such corporations may exercise their powers; exempting such corporations from taxation; prohibiting any person, copartnership, association, common law trust or corporation, except a nonprofit medical service corporation, from providing medical services on a nonprofit plan in return for prepayment, periodical, or lump sum payments; providing penalties for the violation of, and mandatory and injunctive relief for the enforcement of, the provisions of this act," by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 717, entitled:

An Act providing that when any city, county, school district or other political subdivision of this Commonwealth shall, in the exercise of the power of eminent domain, acquire real estate by appropriation and condemnation, the title thereto which shall vest in such city, county, school district or other political subdivision, shall be a title in fee simple, unless otherwise provided in the ordinance or resolution authorizing the appropriation and condemnation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 725, entitled:

An Act to amend paragraph seven A of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by regulating salaries of continuation teachers in first class districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 799, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts, making an appropriation; and providing for refunds," by further regulating the suspension of operating privileges by the secretary.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 875, entitled:

An Act to further amend section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the revocation of operating privileges by the Secretary of Revenue.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 48, Printer's No. 163.

Senate Bill No. 49, Printer's No. 164,!

Senate Bill No. 240, Printer's No. 132, and

Senate Bill No. 347, Printer's No. 172,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1044, entitled:

An Act to amend the act, approved the sixteenth day of July, one thousand nine hundred and forty-one (P. L. 400), entitled "An act to protect the debtors, obligors or guarantors of debts for which judgments are entered or may be entered, and owners of real property affected thereby, and others indirectly liable for the payment thereof, by prescribing the method of fixing the fair market value of such property sold on execution, and limiting the amount collectible thereafter on such judgments," by clarifying certain provisions of said act; extending various provisions thereof so as to apply to certain proceedings involving real property located outside Pennsylvania; prescribing a procedure for securing record satisfaction of certain judgments by court order where the plaintiff in execution proceedings failed to file, within the time prescribed by said act, a petition to fix the fair market value of real property sold to the plaintiff under such execution proceedings.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

HOUSE RESOLUTION No. 53

Mr. SARGE. Mr. Speaker, I desire to call up House Resolution No. 53, Printer's No. 426.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 1, 1943.

Each Easter Season in this enlightened country thousands of live chicks and ducklings and young rabbits are sold for temporary Easter pets for children who know nothing about, and care less for, their proper feeding and care.

Most of these unfortunate chicks and ducklings and rabbits die within a few weeks of starvation or misuse or plain cruelty.

Each one of these chicks or ducklings or rabbits, if properly cared for would have grown to maturity and in time would have assisted in reducing the food scarcity existing in the nation.

The sale of these live fowl and animals has become more than a matter of cruelty and now takes its place as a means of hindering and interfering with the prosecution of the war effort by wasting needed food and increasing the scarcity of meat.

It is now a matter more for the attention and action of the State Council of Defense than one for local societies for the prevention of cruelty to animals; therefore be it

Resolved (if the Senate concur), That the attention of the State Council of Defense is hereby called to the situation created by the sale of chicks, ducklings and young rabbits during the Easter Season and the Council is hereby respectfully requested to request all merchants, farmers, and dealers in poultry and other live stock to immediately discontinue the practice of selling such chicks, ducklings and rabbits and to publicize its actions in order that the public might be informed of its contribution to the scarcity of food in the purchase of such live stock; and be it further

Resolved, That the Chief Clerk of the House shall transmit a copy of this resolution to the Chairman of the State Council of Defense.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

CONGRATULATORY RESOLUTION

Mr. BARTON offered a resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, April 14, 1943.

John Wills is not a member of this House nor of the Senate, but he is known to all of us, and occupies a high and exalted position in the General Assembly.

He stands at the right hand of the Speaker of this House, and handles much of the important business of the House. The Speaker would often be helpless without him, and the work of the Session would lag if we could not depend upon John's speed and intelligence and sureness of foot. But that he has the agility of a Rocky Mountain goat or a South American Llama, he would long ere this have been crippled as he rushes down the steps leading from the rostrum.

Today is John's birthday. Eighteen years ago he appeared in Duncannon, Perry County (which is in Pennsylvania), and for eighteen years he has been the joy and the pride of his parents.

Many of Pennsylvania's greatest men started public life as an ordinary page boy on the floor of this House, but with the advantage he has in getting his start as the Speaker's page, we confidently expect him to reach much more exalted heights in the affairs of the Nation.

Oh Johnny is a pretty lad,
He runs the Speaker's errands,
He always smiles, he's never sad,
He's quite the kitten's whiskers.

therefore be it

Resolved, That this House extends to Johnny its most sincere congratulations and felicitations, and wishes for him, who has not yet finished his first score of years, many happy returns of the same occasion, together with the hope that each re-occurring anniversary of his natal day will find him occupying a higher and more important niche in the affairs of the Commonwealth, and, Johnny, not yet being of legal age to have acquired the right to be on his own, we request the Speaker of this House to transmit a copy of this resolution to his father and legal custodian, Mr. John Y. Wills, at Duncannon, Perry County, Pennsylvania.

The SPEAKER. The Chair recognizes Johnny.

Mr. JOHN WILLS. Thank you very much for the resolution.

Mr. FREED. Mr. Speaker, may I ask Johnnie a question?

The SPEAKER. Will Johnnie answer the question? He is somewhat nervous and afraid.

Mr. FREED. Mr. Speaker, I would like to ask Johnnie if he will not bake a birthday cake for the members of the lower branch of the Assembly like he baked for the Speaker's office force.

Mr. JOHN WILLS. When is your birthday?

Mr. FREED. I am not speaking for myself. I am past the fourth of July and I hope not to be here until that time. I had in mind some time pretty soon.

Mr. JOHN WILLS. I will bake one for you anytime you want me to.

RESOLUTION

RECALLING HOUSE BILL No. 644 FROM THE GOVERNOR

Mr. TROUT offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 13, 1943.

Resolved (if the Senate concur) That House Bill No. 644, Printer's No. 162, entitled:

An Act to further amend sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties, cities, boroughs, incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery and fixing fees therefor.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. TAHL,

The House resumed the consideration on third reading of House Bill No. 315, entitled:

An Act prescribing certain fire and panic precautions to be observed in buildings occupied by night clubs or similar establishments imposing certain additional duties upon fire marshal fire chiefs and other officials in the various political subdivisions throughout the Commonwealth and providing penalties

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. TAHL. Mr. Speaker, I move that this bill be recommitted to the Committee on Municipal Corporations for the purpose of further study and possible amendment.

The motion was agreed to.

RESOLUTION

RECALLING HOUSE BILL No. 694 FROM THE GOVERNOR

Mr. DENNISON offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 14, 1943.

Resolved (if the Senate concur), That House Bill No. 694, Printer's No. 131, entitled "An act to amend sections one five seven nine and twelve and to repeal section six of the act approved the twenty-seventh day of May one thousand nine hundred and thirty-seven (P. L. 901) entitled 'An act for the protection of producers of farm produce providing for the licensing the bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties' by changing definitions the period of the license and the fee therefor and the contents of records eliminating the requirement for a bond and adding to the reasons for refusing licenses,"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, together with colleagues of mine from this side of the House, the gentleman from York, Mr. Bentzel, and for and with the consent of the gentleman from Allegheny, Mr. Bentley, who is ill and unable to attend, together with three members of the Senate of my political party, we have just returned from a visit to the Governor of the Commonwealth, a visit arranged at our request for an audience, in response to which the Governor very cordially issued an invitation to meet with him.

We were with the Governor about one hour. We had a very cordial reception, as I said before. We had a very, very pleasant discussion, and as a result of that discussion we left with the Governor a statement which I propose to read into the record. After discussing many items of the statement the Governor told us that he would be very happy to study the statement. The Governor stated that l would read the statement that we gave him and consider it, together with the other informal discussion that we had, and he would give us his reply, which we trust will be very soon.

Mr. Speaker, with your leave I want to read the statement into the record. It is dated April 13, 1943, addressed to His Excellency the Honorable Governor, Edward Martin.

> The Democratic party assumes full responsibility for invoking the provision of the Constitution that all bills shall be read at length. For fourteen weeks we have been waiting patiently for the verbal promise of cooperation between the two parties to be put into action and for evidences of a real effort on the part of the administration to pass legislation in aid of the war and in anticipation of post war necessities.
>
> For fourteen weeks nothing has been done in either of these directions. For fourteen weeks we have listened to the introduction or passage of bills ripping out the Parole system, the Civil Service System, Public Utility Commissioners, Democratic Congressmen, mercantile appraisers and transferring the appointing powers from Democratic elected officials to Republican officials.
>
> Whatever legislation has been passed, was generally either personal or political. In all, eighteen bills were finally enacted into law. The best information available indicates that the cost of this Legislature, including tomorrow's payroll, will have reached the amount of $1,101,207.70, a cost in excess of $60,000.00 per act.
>
> This extravagance in time and money is complete justification for our action in invoking the Constitutional provision, requiring bills to be read at length, for it has already succeeded in its sole purpose to focus the attention of the public on the actions of the Republican majority party in this Legislature; to serve as a protest against the use of the power of votes for political aggrandisement in the period of this tragic war.
>
> The eyes of the people of the Commonwealth are on this Legislature. The objective having been attained, the time has arrived for constructive suggestion. It is timely that we should bring the matter officially to your attention, for you are the Governor of this Commonwealth; you are the titular head of the Republican party. We Democrats remember your promises of cooperation and your pleas for passage of legislation that would help to win the war. You said, and we agree with you, that "nothing else matters." Nothing else matters except the winning of the war and the preservation of the peace.
>
> The method we adopted was the only way which we could make our protest heard and we hope that now these matters have been brought to the light of day, there may be an end to the use of this Session as a political vehicle and a return to the patriotic duty that this Legislature can, with unity and cooperation, carry out to the fullest extent.
>
> With that end in view and in the hope that the promised cooperation can become a fact, we make the following suggestions:
>
> (1) That a Committee be appointed consisting of members of the Senate and House from both parties to confer with you for the purpose of bringing about the passage of the following legislation.
>
> (2) That a Planning Commission be appointed and that there be transferred to that commission sufficient funds to enable it to become an effective agency for post war readjustments. (There can be transferred to that commission a surplus of $30,000,000.00 available in the Motor License Fund at the end of this biennium.) There should be transferred to this commission any surplus over and above current revenues remaining at the end of this biennium.
>
> (3) That legislation be passed to aid the Federal Government in enforcing price ceilings and in policing "black markets."
>
> (4) That a Legislative Committee be appointed to confer with Federal and State Health authorities for the purpose of recommending and enacting into law at this session such protective measures as are necessary to guard the health and welfare of persons employed in war industries and specifically to prepare and pass legislation at this session necessary to furnish treatment for the care and prevention of the spread of tuberculosis and social diseases in congested areas.
>
> (5) The speedy enactment into law of bills now on the calendar and such other bills as may be necessary to give authority to Federal agencies to enlarge their activities so as to aid in slum clearance and to supply necessary housing for defense workers.
>
> (6) The passage of legislation amending the existing Civil Service laws so as to provide an opportunity to the returning men and women in the armed forces to compete on an equal basis with all appointees after a given date without destroying the principles of Civil Service.
>
> (7) Reduction in taxes not only for corporations, but in those emergency taxes now in existence which burden the individual citizen directly, namely, the Emergency Cigarette Tax and the Emergency Gasoline Tax.
>
> (8) That this Legislature pass appropriate legislation to make financial provision for returning men and women of the armed forces following the cessation of hostilities.
>
> (9) That legislation be passed granting to school teachers and other school employees an increase in pay sufficient to enable them to meet the increased cost of living.

(10) That passage of legislation which will disrupt the friendly relations between employer and employee be discouraged.

(11) That effective legislation be passed which will enable the Commonwealth to cooperate with the Federal Government and procure Federal funds for the purpose of establishing proper child care centers for the children of defense workers.

This is a frank, plain and sincere statement made with the same purpose which motivated our protest in the Senate and the House. We give you our assurance with equal sincerity that we are willing and anxious to cooperate to the fullest extent with every move that has for its objective—the winning of the war, the maintenance of the morale of the industrial and agricultural workers of Pennsylvania and the preservation of the peace. With equal frankness we say that we will continue to protest and give pitiless publicity to every effort that may be made to use this Legislature for political purposes and to the failure of the majority party to use the Legislature to carry out not only its promises, but its duty to all the citizens of this Commonwealth.

Respectfully submitted and signed by the following gentlemen:

For the Senate: John Dent, Harry Shapiro, Edward Coleman.

For the House: Myself, John Bentley and Felix Bentzel.

INTERROGATION

Mr. BROWN asked and obtained unanimous consent to interrogate Mr. Cohen.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. COHEN. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, may I ask the Minority Floor Leader how he arrived at the conclusion that by pressing for Article 3, Section 4 of the Constitution he can accomplish the laudable purposes enunciated in his statement just sent to the desk.

Mr. COHEN. Mr. Speaker, I would answer that by saying that the effect, I think is already being felt. I believe that the people of Pennsylvania and the press of Pennsylvania, who are doing a great service for the Commonwealth in bringing this situation to the attention of the people, are going to make all of us know, and I am talking about the members of this House, on both sides of the House, and am talking about the Executive, it is going to give them their opportunity to tell all of us and the Executive whether or not they approve or disapprove of what has gone on here for the past fourteen weeks.

Mr. BROWN. Mr. Speaker, do any of the bills that we have read at length contain any of the laudable purposes enunciated in the gentleman's statement?

Mr. COHEN. As to the bills read, I would say that practically nothing has been passed which would attain the necessary results. As to those bills already enacted into law and signed by the Governor, I would say that nothing has been accomplished.

Mr. BROWN. I thank the gentleman.

PERMISSION TO ADDRESS HOUSE

Mr. BROWN asked for and obtained unanimous consent to address the House.

Mr. Speaker, I am in hearty accord with the request of the Minority Floor Leader and his committee to the Governor. Let that be distinctly understood. However, to me, and I am speaking for myself and myself alone, if we come to the point in the operation of our democratic form of government that we can utilize, invoke and operate under a section of the Constitution wholly unrelated to the purposes we desire to attain, then any person for any reason may hide behind the Constitution for purposes unrelated to the result which they wish to attain. I say to you, Mr. Speaker, and I say to the people of this Commonwealth that this filibuster has accomplished nothing and can accomplish nothing but waste and delay.

I don't have all the figures; they are not available, but today I secured some of the figures and I understand that it costs us in the pay of the per diem employes alone $32.70 an hour for the employes of the House. I sat here when the Speaker took up the first reading bills at ten minutes after three, some of the first reading bills were passed over, and at five o'clock the clerk was still reading first reading bills. I say to you, Mr. Speaker, to every Member of this House and to the people of the Commonwealth, as I said a night or two ago, this is ridiculous, it is capricious, it is unwarranted. I know the people of Pennsylvania are going to pass the unanimous verdict of guilty upon us for hiding behind and for trying to invoke a Constitutional provision wholly unrelated to the purposes that are to be achieved, and I don't want that verdict of guilty on my head.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, I understand we are about to take a recess to get some much needed nourishment for the work that we have to do tonight. I should not want to belabor the House nor to go into a discussion with the gentleman from the Allegheny whose opinion I so much respect. But, Mr. Speaker, I have got to say this, that I believe the gentleman from Allegheny still does not comprehend the problem, the outlook and the perspective of the situation which the minority party has taken. I tell you, Mr. Speaker, if we can arouse the people of the Commonwealth to give a verdict, we are taking the full responsibility for taking this means of arousing the people.

Mr. Speaker, I heard the gentleman very often say that it is the people who are our masters, and I am perfectly willing to stand before the bar of the people and have the people pass their judgment. If it is a political mistake, it does not bother me too much, but I could not sincerely and honestly feel that I am doing my duty, as I see it, to the people of Pennsylvania, if I could not go back to a sacred instrument which is the guarantee of all our liberties, all of our privileges and our last place of hope, to invoke that constitution which the gentleman so frequently praises, to bring to the people a situation which we honestly think is serious.

I know, Mr. Speaker, that the gentleman has no ill or malicious feeling towards myself or the Members of the minority party, but I trust that the gentleman may see a little bit beyond the point he has thus far gone. I trust he will be able to agree with us that if some good can come of this so-called filibuster he will applaud with all of us the desired result. I can assure the gentleman that when the plaudits are being handed out, if some good should come, the gentleman will receive, together with everyone in this House, an equal share of the public's commendation.

PERMISSION TO ADDRESS HOUSE

Mr. HARE asked and obtained permission to address the House.

Mr. Speaker, I want it thoroughly understood that the statements I make are my own and unlike the statements read by the Minority Leader are not controlled by any political boss and are answerable only to the people whom I represent back home.

I agree heartily with the gentleman from Allegheny, Mr. Brown. For a week now I have sat here as a Member of the House, as a member of the Republican party, but primarily I have sat here as an American, and I have been shocked and amazed that Americans, calling themselves by such a name, would move to cheap political trickery. If my party would ever initiate this form of approach, place a loaded gun at the head of the Governor and attempt to get him to accede to their wishes by wielding a threat over his head as a member of his party here in the Legislature, then I would apologize for my party.

For three hours yesterday I went back over the records of the Legislature of Pennsylvania, and in no place in the records can I find a place where my party ever stooped to the measure whereby it hid behind one of the most sacred things, and Constitution of the Commonwealth.

You say the newspapers have risen in your defense. Looking over today's papers at my own desk I find "Exhibition of Petty Spite" heading one editorial; "Filibuster Foolishness" heading an editorial in a different paper; "School Boy Politicians" in still a third paper and "Toying with Public Time and Patience" in still a fourth paper.

This is serious business. I want to go home, you want to go home. Two years ago—I can appreciate your position—I sat in the minority. I had bills passed through me, steam-rollered over my head that I didn't agree with and some of them are law today, but, as a good American citizen, I believed that the majority having won the battle, their will must be accepted.

I walked over to the then Majority Floor Leader just two years ago and asked Leo Achterman for a simple favor, and I break no confidence, he turned to me and said, "I'm sorry, kid, you're under the Democratic Juggernaut."

I didn't go back to my desk and move to read all bills at length and use the Constitution of Pennsylvania as a capricious and facetious document.

Gentlemen of the House, I speak to your as an American. I have three brothers accross the "pond." They are fighting to preserve the things you have destroyed. You charge us with Hitlerian tactics. We have sat patiently here, and I do not attempt to speak for this side, but I know there are men on the other side of the House that are hanging their heads in shame, for I know in the bottom of your hearts you are Americans, and I know we love this country beyond any political aspirations any one of us might have.

Gentlemen, I know if you will search this thing through you can see that two hundred and eight Members of this House should be willing to lay down their commissions as Representatives if this war could be ended tomorrow.

I do not desire to wave the American flag and plead with you. We celebrated right here a beautiful program today relative to some of those men who have made the history of America, and the history of America is only the lengthened shadow of the men who have lived in it. I say to you the actions of this Legislature in the past week, the shadow cast by this Legislature will be a blot on the history of the Commonwealth of Pennsylvania. This is doing much to destroy the morale of our people. I say to you that this is aiding and abetting the enemy just as much as if I would take issue on the floor of this House with the President of the United States. I took a solemn oath that, much as I disagree with him in many instances, my lips would be sealed while he was Commander-in-Chief of this country.

I will ask no more from you than you would ask from me. I will give as much to you as you will give to me. We should be a united people. This is no time for cheap political tricks. We are going to answer at the bar of public opinion on the majority side for the bills we pass. If you want to stand and debate those bills, I will stand by you every inch, even though you want to talk about them for three weeks, because as a Member of the minority you have the right to speak, and men are dying that you might keep that right, but I am pleading with you from the bottom of my heart, for the kids you and I have over there, to stop this stuff. Go back home and help sell your bonds for America. You have heard all this debate on the floor. Be honest with yourselves, as on the picture in the front of the hall of this House, and the bloody foot prints in the snow of Valley Forge, are a constant reminder to me that I am living in a week of very unAmerican and unsportsmanlike activities.

SENATE MESSAGE

The Clerk of the Senate, Mr. McGroerty being introduced, presented the following extracts from the Journal of the Senate:

For concurrence Senate Bills Nos. 25, 86, 177, 272, 345 and 472.

House Bill returned without amendment No. 72.

RECESS

Mr. LICHTENWALTER. Mr. Speaker, I move that the House do now recess until 8:30 p. m.

The motion was agreed to.

AFTER RECESS

The House reconvened at 8:30 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 72.

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure," providing for the divestiture of judgments obtained thereunder by tax sales heretofore or hereafter made.

With the information that the Senate has passed the same without amendment.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Modell for Mr. CHUDOFF for tonight and tomorrow.

REPORT FROM COMMITTEE

Mr. McCLESTER, from the Committee on Cities—Third Class, reported as amended, House Bill No. 991, entitled:

An Act to amend article thirty-one of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the laws relating thereto," by adding thereto section 3210.1; providing for exonerations of sewer assessments and the satisfaction of sewer leins and the discharge of properties covered thereby.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 272.

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

Referred to the Committee on Apportionment.

SENATE BILL No. 345.

An Act to further amend the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1168) entitled "An act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the board to petition a court of common pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the common pleas court to the Supreme Court providing the board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the board prescribing certain penalties" further regulating the right to and procedure on appeals to court.

Referred to the Committee on Judiciary General.

SENATE BILL No. 472.

An Act providing that every mine foreman, assistant mine foreman and fire boss under the bituminous mining laws and the anthracite mining laws of the Commonwealth represent and are officers of the Commonwealth in the mines in which employed; for the suspension or cancellation of the certificates of such officials as shall hold same and for the disqualification of such as are uncertificated by the Secretary of Mines after or prior to hearing for failure or refusal to perform their respective duties; defining the procedure in such hearing and the powers of the Secretary of Mines with respect thereto and providing for a review of his decisions by the Court of Common Pleas of Dauphin County and the Superior Court; providing for reexamination by the examining board of any person whose certificate has been cancelled and for reinstatement of such as are uncertificated; and prohibiting the employment by any operator of any person not possessing the requisite certificate or whose certificate is suspended or who has been disqualified.

Referred to the Committee on Mines and Mining.

RESOLUTION REPORTED FROM COMMITTEE

Mr. YEAKEL asked and obtained unanimous consent to report from the Committee on Rules a House Concurrent Resolution Serial No. 70 (not printed) and for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, April 5th, 1943.

Carbon County was created by an act of Assembly of March 13, 1843 more than one hundred years after the arrival of a group of Moravians in search of a haven of safety.

From the time of the arrival of that intrepid band of white men and women who later survived the great Gnaden Massacre in 1755 the territory they settled has prospered.

In this territory Benjamin Franklin, recognizing it as an outer defense of Philadelphia, personally supervised the building of Fort Franklin in what is now Weissport as a protection and a barrier against the Indians of the North.

In 1791 Philip Ginter discovered anthracite coal and started one of the great industries of the Commonwealth and which led to the building of the Lehigh Valley Railroad in 1855 by Asa Packer who later built and heavily endowed Lehigh University.

From this county came men who have contributed greatly to the development of the Commonwealth. They marched and endured with Washington, their sons answered the call of Abraham Lincoln, and fought in France and their grandsons and great grandsons are now scattered over the battlefields of Europe and Asia and are demonstrating the same bravery and fortitude that marked those heroic founders of this county.

On Monday, March 8th, 1943, the Carbon County Historical Society petitioned the Court of Common Pleas of Carbon County to hold a special session of the court on Saturday, March 13th, 1943, in commemoration of the one hundredth anniversary of the founding of Carbon County.

The court granted the prayer of the petition and on March 13th, 1943, a special session of the court was held in the Court House with Judge James C. McCready presiding.

Fred Brenckman, formerly of Hudsondale, representative of the National Grange and author of the History of Carbon County was the principal speaker. Congressman Francis E. Walter, Judge Samuel Shull, Monroe County, Judge Frank McClusky, Northampton County, State Senator M. F. Crowe, Hon. Elmer Holmes of the House of Representatives and others also spoke.

It was an impressive, instructive and successful celebration of an important happening and those responsible for the preparation of the program and the carrying out of the plans are deserving of great credit. It was an occasion of which some permanent record should be made; therefore be it

Resolved, (If the Senate concur), That the General Assembly extends to the people of Carbon County its congratulations upon the successful celebration of the one hundredth anniversary of the founding of their county, it congratulates also those who planned and carried out the celebration and those who took part in it; and be it further

Resolved, That in order to make a permanent record of the occasion it is ordered that this resolution be printed in the Legislative Journal and that a copy thereof be forwarded by the Chief Clerk of the House of Representatives to the Honorable James C. McCready, President Judge of the Court of Common Pleas of Carbon County.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING

BILLS PASSED OVER

There being no objection Senate Bill No. 281, Printer's No. 135, and Senate Bill No. 296, Printer's No. 95, were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 787, entitled:

An Act to further amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the requirements for creating the office of county controller by court decree in counties of the sixth seventh and eighth classes and authorizing the establishment of such office by referendum

The first section was read.

On the question,

Will the House agree to the section?

Mr. ELDER offered the following amendment:

Amend sec. 1 (sec. 136) page 3, lines 17, 18, 19 and 20, by striking out the words "petitioners equal to at least five per centum of the number of electors who voted at the general or municipal election as the case may be next preceding", and inserting in lieu thereof the following: "one hundred (100) qualified electors."

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 20, Printer's No. 123, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 563, entitled:

An Act to repeal section five of the act approved the fourth day of May one thousand nine hundred five (P. L. 385) entitled "An act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith" prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 706, entitled:

An Act to further amend section three hundred one and to amend section four hundred one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1053) known and cited as "The Public Utility Law"

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. STOCKHAM. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Utilities for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 302, entitled:

An Act to further amend section seven hundred seven subsection (e) of section nine hundred three and to repeal section seven hundred eight and subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts ond the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to the weight length and width of motor buses and motor omnibuses and loads and changing the registration fees of motor buses motor omnibuses and other vehicles used for the transportation of passengers

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

(AIR RAID DRILL)

SENATE MESSAGE

The Clerk of the Senate, Mr. McGroarty being introduced, presented the following extracts from the Journal of the Senate:

Senate for concurrence Nos. 71, 208, 344, 506, 515, 521, 485, 486, 487, 502.

House Bills returned without amendments Nos. 263, 285, 355, 460, 503, 561, 187, 686.

Senate insists on its amendments to House Bill No. 49, which were laid on the table.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection, Senate Bill No. 67, Printer's No. 257, was passed over at the request of the SPEAKER.

BILLS ON THIRD READING

BILL PASSED OVER

There being no objection House Bill No. 575, Printer's No. 326, was passed over at the request of Mr. CHARLES H. BRUNNER, Jr.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 521, as follows:

An Act to further amend the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by providing for the regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business by the State Real Estate Board instead of the Department of Public Instruction.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" various sections of which have been amended by the act approved the first day of April one thousand nine hundred thirty-one (P. L. 15) the act approved the twenty-sixth day of June one thousand nine hundred thirty-one (P. L. 1410) the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 170) and the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2811) is hereby further amended to read as follows

Section 1. Be it enacted &c That this act shall be known and may be cited as the Real Estate Brokers Licens Act of one thousand nine hundred and twenty-nine

Section 2 (a) The term "real estate broker" shall include all persons copartnerships associations and corporations foreign and domestic who for another and fo a fee commission or other valuable consideration shal sell exchange purchase or rent or shall negotiate the sal exchange purchase or rental or shall offer or attemp to negotiate the sale exchange purchase or rental o shall hold himself or themselves out as engaged in the business of selling exchanging purchasing or renting o any real estate interest in real estate the property of another whether the same shall be located within the State of Pennsylvania or elsewhere or shall collect or offe or attempt to collect rental for the use of real estate the property of another or shall negotiate or offer or attempt to negotiate a loan secured or to be secured by mortgage or other encumbrance upon or transfer of any such real estate It shall also include any person copartnership association or corporation employed by the owner or owners of lots or other parcels of real estate including cemetery lots at a stated salary or upon a commission or upon a salary and commission basis or otherwise to sell such real estate or any parts thereof in lots or other parcels and who shall sell or exchange or offer or attempt to negotiate the sale or exchange of any such lot or parcel of real estate One act in consideration of compensation by fee commission or otherwise of buying selling renting or exchanging any such real estate of or for another or attempting or offering so to do or negotiating a loan upon or leasing or renting or placing for rent any such real estate or collection of rent therefrom shall constitute prima face evidence that the person copartnership association or corporation so acting or attempting to act is a real estate broker within the meaning of this act The term "real estate broker" shall also include all persons copartnerships associations and corporations foreign and domestic the principal business of whom or which is the purchasing selling renting trading or exchanging of real estate whether for another or as purchaser seller or owner of such real estate and all real estate auctioneers and real estate appraisers and all persons who negotiate or offer for sale any mortgage or other security for which real estate is the collateral as well as all managers of office buildings apartment buildings and other buildings and persons employed by banking institutions and trust companies for the foregoing purposes

(b) The term "real estate salesman" shall mean and include any person employed by a licensed real estate broker to perform any or all of the functions of a real estate broker Provided however That stenographic or other clerical help employed solely in such capacity in the office of the broker shall not be required to be licensed as real estate salesmen

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any person firm association partnership or corporation who as owner shall perform any of the acts with reference to property owned by them unless the principal business of such person firm association partnership or corporation is the purchasing selling renting trading or exchanging of such property nor any person holding in good faith a duly executed letter of attorney from the actual owner of any real estate authorizing the sale conveyance or leasing of such real estate for and in the name of such owner or the negotiating of any loan thereon where only one transaction is involved and where such letter of attorney is recorded in the office of the recorder of deeds nor shall they be held to include in any way attorneys at law and justices of the peace nor shall they be held to include any receiver trustee in bankruptcy administrator or executor or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust where only the transactions pertaining thereto are involved or the duly elected executive officer of any banking institution or trust company operating under the banking laws of Pennsylvania

(d) The term "department" shall mean the Department of Public Instruction of this Commonwealth

(e) The term "board" shall mean the State Real Estate Board a departmental administrative board of the Department of Public Instruction

Section 3 The department shall issue real estate brokers' and salesmen's licenses under the provisions of this act [and] The Board shall supervise and control all such licenses as hereinafter specifically provided

Section 4 (a) Copies of all records and papers or documents filed in the office of the department and of all proceedings by or before the [department] board with the [department's] board's action thereon and stenographic notes of testimony or other evidence submitted when certified under the seal of the department shall be admitted to be read in evidence in all courts in this Commonwealth in all cases where the originals would be admissible in evidence under the provisions of this act Provided That in any proceeding the court having jurisdiction may on cause shown require the production of the original

(b) For every copy of paper filed with the department in any proceedings before [it] the board the department may charge such fees as it may by general rule or regulation prescribe not exceeding twenty-five cents (25c) per folio

Section 5 Neither the Superintendent of Public Instruction any member of the board nor any deputy secretary representative clerk or other employe of the department shall directly or indirectly wilfully exhibit publish divulge or make known to any person or persons any record report statement letter or any other matter fact or thing contained among the papers documents or records of said department or ascertain from any of the same or from any investigation or proceedings made or held under the provisions of this act by or before the [department] board or any of its deputies members secretary or representatives excepting in such manner as is expressly authorized by this act and excepting when the production of such information in a proceeding in any court is duly required by subpoena issued by special order of the court or other regular process any violation of the provisions of this section shall be a misdemeanor upon conviction whereof the person so offending shall be sentenced to pay a fine not exceeding one thousand ($1,000) dollars

Provided however That the provisions of this section shall not apply to any ruling or decision of the [department] board with the record relative thereto and upon which the same was founded which ruling or decision shall have been duly made and entered under and in accordance with the provisions of this act after investigation and/or hearing as hereinafter provided All such records shall immediately upon the entry of such ruling or decision become public records of the department subject to inspection by any person interested

Section 6 From and after January 1 1930 it shall be unlawful for any person copartnership association or corporation to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without first obtaining a license as a real estate broker or real estate salesman from the department

No person copartnership association or corporation may be licensed by the department as a real estate broker unless such person and all of the members of any such copartnership or association who are actively engaged in the real estate business and all of the officers of any such corporation who are actively engaged are of the age of twenty-one years and upwards are citizens of the United States and shall have served an apprenticeship as a duly licensed real estate salesman of not less than two years in the employ of a duly licensed real estate broker or brokers

Section 7 (a) It shall be the duty of the department upon payment of license fees required by this act to issue licenses as real estate broker or real estate salesman to all individuals and as real estate broker alone to all copartnerships associations and corporations who shall be duly qualified under and shall comply with the provisions of this act

(b) Application for licenses as real estate broker shall be made in writing to the department upon a blank provided for the purpose by the department and shall contain such information as to the applicant or when the application is made by a copartnership association or a corporation as to its members or officers as the department shall require The application shall be signed by the applicant and shall be accompanied by the recommendation of at least two citizens not related to the applicant or in the case of a copartnership or corporation to any member or officer thereof who shall be owners of real estate within and residents of the county in which the applicant resides or has his their or its place of business certifying to the honesty truthfulness and good repute of the applicant or in the case of a copartnership or association or corporation its members or officers by name and recommending that a license be granted the applicant and by the recommendation of one licensed real estate broker or licensed member or officer of a copartnership association or corporation licensed as a real estate broker If the applicant or in the case of a copartnership or corporation any of its members or officers shall have resided or shall have engaged in business for less than one year in the county from which the application is made such application shall also be accompanied by the recommendation of at least two (2) real estate owners not related to the applicant of each of the counties where he or each of such members or officers has formerly resided or engaged in business during the said period of one year prior to the filing of such application certifying to the honesty truthfulness and good repute of the applicant or its members or officers by name and recommending that the license be granted Each application shall be accompanied by two photographs of the applicant or in the case of a copartnership association or corporation of the applicant members or officers thereof Where the applicant for a real estate broker's license maintains more than one place of business within the Commonwealth he shall be required to apply for and procure a duplicate license for each branch office so maintained by him such duplicate license to be issued with an additional charge of two dollars and fifty cents ($2.50) for each additional office or place of business Every such application shall state the name of the person copartnership association or corporation and the location of the place or places of business for which such license is desired and the license shall expire [December thirty-first of the year] [issued] on the last day of February immediately following the date of issue unless sooner revoked or suspended by the [department] board or renewed annually as hereinafter described

(c) Application for license as real estate salesman shall be made in writing to the department signed by the applicant setting forth the period of time during which he has been engaged in the business stating the name of the last employer and the name and place of business of the person firm copartnership association or corporation then employing him or into whose employ he is then about to enter All applications shall be made upon a blank provided for the purpose by the department and shall contain such information as to the applicant in addition to the above prescribed as the department shall require The application shall be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted All such licenses shall expire [December thirty-first of the year] [issued] on the last day of February immediately following the date of issue unless sooner revoked or suspended by the [department] board or renewed annually as hereinafter described

No person may hereafter be licensed as a real estate salesman and no person copartnership association or corporation may hereafter be licensed as a real estate broker by the department unless such person and all of the members of any such copartnership or association and all of the officers of any such corporation intended to actually engage in or actually engaging in the real estate business as a real estate broker or salesman shall first submit to and pass an examination conducted by the [department] board and prepared by the [department Provided however That any person who has been licensed as a real estate salesman or real estate broker for a period of six (6) months next preceding the effective date of this act and is thus engaged in this Commonwealth at the time this act goes into effect may secure the certificate of registration as a broker or a salesman without an examination provided such person shall make application to the department for registration within ninety (90) days after the effective date of this act] board The [department] board shall hold examinations on the second Saturdays in January April July and October in the cities of Philadelphia Pittsburgh Harrisburg Wilkes-Barre and Erie at such hours and under such rules and regulations as the [department] board shall prescribe The examination for a broker's license shall include questions on real estate practice real estate law the applicant's ability to read and write English his knowledge of mathematics and other common school branches The examination for salesman's license shall be limited to the common school branches Provided however That in event the license of any real estate broker or salesman shall be cancelled by the [department] board subsequent to the enactment of this act no new license shall be issued to such person unless he complies with the provisions of this act Provided further however That the [department] board may waive these requirements in the case of an application from a nonresident broker of those states having similar requirements under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen of this State

An individual may apply for and receive from the department a temporary permit to operate as a real estate salesman until the next regular examination but not more than two successive temporary permits shall be issued to any individual Any individual who fails to pass the examination at two successive examinations shall be ineligible for a similar examination until after the expiration of two full years from the time such individual took the last examination.

(d) Authority to transact business as a real estate broker or real estate salesman under any license issued by the department shall be restricted to the person named in such license and shall not inure to the benefit of any other person or persons whatsoever Where a real estate broker's license shall be issued to a corporation or association authority to transact business thereunder shall be limited to one officer of such corporation or association to be designated in the application and named in the license Each other officer of such association or corporation desiring to act as a real estate broker in connection with the business of the said association or corporation or otherwise shall be required to make application for and take out a separate license in his or her own name individually Where the licensee is a copartnership the license issued to such copartnership shall confer authority to act as real estate broker upon one member of such copartnership only who shall be designated in the application and named in the license all the other members of such copartnership desiring to act as real estate brokers in connection with the business of the partnership or otherwise shall be required to apply for and take out individual licenses in their own names

(e) A nonresident of this State may be licensed as a real estate broker or a real estate salesman upon complying with all the provisions and conditions of this act relative to resident brokers and salesmen

(f) In connection with the application of a nonresident of this State for a license as real estate broker or real estate salesman the [department] board may accept in lieu of the recommendations and statements otherwise required to accompany the application for such license the license as real estate broker or real estate salesman issued to such applicant by the proper authority of the State of his domicile upon the payment by the applicant of the proper license fee and the filing with the department of a duly certified copy of the license issued to such applicant by such other State In such case the licensee shall not be required to maintain a definite place of business within this State Provided That he if a broker shall maintain an active place of business within the State of his domicile Provided however and it is hereby expressly stipulated That the provisions of this [subparagraph "g"] paragraph (f) of Section 7 of this act shall only apply to licensed real estate brokers and real estate salesmen of those States under the laws of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen of this State Provided further That every nonresident applicant shall file an irrevocable consent that suits and actions may be commenced against such applicant in the proper court of any county of this State in which a cause of action may arise in which the plaintiff may reside by the service of any process or pleading authorized by the laws of this State on the [department] chairman of the board said consent stipulating and agreeing that such service of such process or pleading on the [department] chairman of the board shall be taken and held in all courts to be as valid and binding as if due service had been made upon said applicant personally within the State Said instrument containing such consent shall be authenticated by the seal thereof if a corporation or by the acknowledged signature of a member or officer thereof if otherwise All such applications except from individuals shall be accompanied by the duly certified copy of the resolution of the proper officers or managing board authorizing the proper officer to execute the same In case any process or pleadings mentioned in the case are served upon the [department] secretary of the board it shall be by duplicate copy one of which shall be filed in the office of the department and the other immediately forwarded by registered mail to the main office of the applicant against which said process or pleadings are directed.

Section 8 The fees to be charged by and paid to the department by licensees for all licenses and renewals thereof issued shall be as follows

(1) A fee of ten dollars ($10.00) shall accompany an application for examination for real estate broker's license and in the event that the applicant successfully passes the examination no additional fee shall be required for the issuance of a certificate of registration Provided That if the applicant fails to pass the examination he may be eligible to take the next examination without any additional fee Provided That there shall be an additional license fee of two and one-half ($2.50) dollars annually for each additional office or place of business

(2) A fee of five dollars ($5.00) shall accompany an application for examination for a real estate salesman's license and in the event that the applicant successfully passes the examination no additional fee shall be required for the issuance of a certificate of registration Provided however That if the applicant fails to pass the examination he may be eligible to take the next examination without any additional fee

(3) It shall be the duty of all persons licensed to practice as a real estate broker or real estate salesman to register annually with the department and pay for each annual registration as a real estate broker the sum of five dollars ($5.00) and pay for each such annual registration as a real estate salesman the sum of two dollars and one-half ($2.50) Said application for renewal of real estate broker's or salesman's license shall be made to the department annually on or before [January] March first of the next succeeding year

(4) The [department] board shall be required to publish annually a list of the persons copartnerships and corporations registered for that particular year

Section 9 (a) Every person copartnership association or corporation licensed as a real estate broker under the provisions of this act shall be required to have and maintain a definite place of business within the Commonwealth which shall be a room or rooms used exclusively for the transaction of real estate business or such business and any allied business and which shall serve as his their or its office for the transaction of business under the authority of the said license and where the certificate of registration and the current annual renewal card shall be prominently displayed The said place of business shall be specified in the application for license and designated in the license and no license issued under the authority of this act shall authorize the licensee to transact business from any office other than that designated in the license unless notice in writing shall be given within ten days to the department of any change of business location designating the new location of such office whereupon the department shall forthwith issue a new license for the new location for the unexpired period without charge The change of the specified business location without notification to the department shall automatically cancel the license theretofore issued Every real estate broker shall display on the outside of his place of business a sign containing the words REAL ESTATE OR REALTOR where such latter title is duly authorized The [department] board [subject to the approval of the Real Estate Advisory Committee] shall adopt reasonable rules and regulations for the conduct of such places of business

(b) All real estate brokers shall also prominently display in their place or places of business the certificate of registration and the current annual renewal card of all real estate salesmen employed by them therein or in connection therewith All licenses issued to real estate salesmen shall designate the employer of such salesmen by name Prompt notice in writing within ten (10) days shall be given to the department by the real estate salesmen of any change of employer and of the name of the new employer into whose service such salesman is about to enter or has entered and a new license shall thereupon be issued without charge by the department to such salesmen for the unexpired term of the original license Provided That such new employer shall be a duly licensed real estate broker The change of employer or employment by any licensed real estate salesman without notice to the department as aforesaid shall automatically cancel the license to him theretofore issued and it shall be the duty of the employer named in such license to notify the department promptly of any such change of employer or employment

(c) The violation of any of the provisions of this section by any licensee shall be sufficient cause for the suspension or revocation of his her or its license in the discretion of the [department] board

Section 10 (a) The [department] board may upon its own motion and shall promptly upon the verified complaint in writing of any person setting forth specifically the wrongful act or acts complained of investigate any action or business transaction of any licensed real estate broker or real estate salesman and shall have the power temporarily to suspend or permanently to revoke licenses theretofore issued by the department under the provisions of this act at any time when after due proceedings as hereinafter provided it shall find the holder thereof to have been guilty in the performance or attempt to perform any of the acts prohibited to others than licensed real estate brokers or real estate salesmen under the provisions of this act

(1) Of knowingly making any substantial misrepresentation or

(2) Of knowingly making any false promise of a characterly likely to influence persuade or induce or

(3) Of a continued or flagrant course of misrepresentation or making of false promises through agents or salesmen or

(4) When it shall be shown that the license within five years prior to the issuance of the license then in force has been convicted in a court of competent jurisdiction of this or any other state of forgery embezzlement obtaining money under false pretenses extortion conspiracy to defraud or other like offense or offenses

(5) Of any failure to account for or to pay over moneys belonging to others which has come into his her or its possession arising out of a real estate transaction or

(6) Of any misleading or untruthful advertising or

(7) Of any act or conduct in connection with a real estate transaction which demonstrates incompetency bad faith or dishonesty

(8) Of displaying a "for rent" or "for sale" sign on any property without an exclusive agency therefor or without the owner's consent

(b) Before refusing suspending or revoking any license the [department] board shall in writing notify the applicant or licensee of the charges against him accompanying the notice with a copy of the complaint if any filed and the [department] board shall accord the applicant or licensee ample opportunity to be heard thereon in person or by counsel If the applicant or licensee shall so desire the [department] board shall grant a hearing upon such charges to be held on not less than ten (10) days prior notice in writing to the applicant or licensee given and shall furnish licensee at the time of giving the said notice with copies of any and all communications reports affidavits and dispositions in the possession of the department touching or relating to the matter in question At such hearing the applicant or licensee shall be entitled to examine either in person or by counsel any and all persons complaining against him and as well all other witnesses whose testimony is relied upon to substantiate the charges made He shall also be entitled to present such evidence oral and written as he may see fit and as may be pertinent to the inquiry The said hearings may be held by the [department] board or any member thereof or by any ow its duly authorized [deputies] representatives or by any other person duly [deputized] authorized by the [department] board for such purpose in any particular case and they shall be held if the applicant or licensee so desires within the county where the applicant's or licensee's principal place of business is situated At such hearings all witnesses shall be duly sworn by the duly authorized [deputies] representatives general or special before whom the hearing is held and stenographic notes of the proceedings shall be taken and filed as part of the record in the cause Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes upon the payment to the department of such fee as it shall by general rule or regulation prescribe therefor not exceeding however twenty-five cents per folio

(c) The refusal of the [department] board to authorize the department to issue any license after application properly made and compliance by the applicant with the requirements of this act shall be subject to review by the court of common pleas of Dauphin County upon petition for writ of mandamus or other appropriate remedy with the right of appeal to the applicant as in other and similar cases

(d) The decision of the [department] board in suspending or revoking any license issued under this act shall be subject to review by the court of common pleas of Dauphin County The [department] board shall maintain in its main office a public docket or other record in which it shall record from time to time as made the rulings or decisions upon all complaints filed with it and all investigations instituted by it in the first instance upon or in connection with which any such hearing shall have been had or in which the licensee charged shall have made no defense The [department] board shall give immediate notice in writing of such ruling or decision to the licensee affected thereby and as well where the investigation shall have been instituted by complaint filed to the party or parties by whom the complaint was made If such ruling shall be to the prejudice of or shall injuriously affect the licensee the [department] board shall also state in said notice the date upon which the said ruling or decision shall become effective if not theretofore appealed from and such date shall be not less than thirty (30) days from and after the date of the said notice If the licensee cannot at such time be found his whereabouts being then unknown such notice may be given by the [department] board by advertisement inserted in one issue of a newspaper of general circulation published within the county where was located the principal office of the licensee as designated in the license When any revocation or suspension shall become final the [department] board shall publish notice thereof in one issue of one or more newspapers of general circulation published within the county in which the licensee was practicing or engaged in the real estate business at the time of such revocation or suspension

Such ruling or decision of the [department] board shall be final when in favor of the licensee and in dismissal of the compaint filed if any If against the licensee or in any way to the licensee's injury or prejudice the licensee may at any time prior to the date fixed by the [department] board in its said notice as the date it shall become effective appeal from such decision to the court of common pleas of Dauphin County by filing written notice of such appeal together with reasons for such appeal in the office of the prothonotary of Dauphin County and by serving a copy thereof on the [department] board either by filing the said notice of appeal in the office of the [department] board or by delivering the same to the [deputy] representative whether general or special before whom the hearing in the case was had

Within thirty (30) days after the service of such notice of appeal the [department] board shall file with the prothonotary of the said court of common pleas a transcript of the records of the proceedings in its office duly certified over the seal of the department which record shall include all papers on file with the [department] board affecting or relating to the inquiry or investigation conducted by the [department] board and all the evidence taken in the said hearing including the stenographic notes of testimony Notice of the filing of the said transcript with the term and number to which filed shall be forthwith given by the [department] board to the licensee and as well to the party or parties if any upon whose complaint the proceedings before the [department] board were instituted The cost of the said transcript at twenty-five cents per folio and one dollar for certification shall be entered as part of the record costs in the cause to be paid as the said court may direct In all proceedings upon such appeal the Department of Justice shall appear for and represent the Commonwealth

The appeal shall thereupon be heard in due course by the judge or judges of the said court of common pleas without a jury by whom the proceedings before the [department] board its findings and rulings shall be given similar weight force and effect as are accorded to the findings and report of a referee selected or appointed under the provisions of the act entitled "An act to provide for the submission of civil cases by agreement of the parties to the referee learned in the law" approved the fourteenth day of May one thousand eight hundred and seventy-four and its supplements

(e) The order or ruling of the [department] board in any such proceeding shall become of full force and effect upon the date fixed by the [department] board in the said notice by it given thereof to the parties thereto unless notice of appeal therefrom shall prior to said date be duly served upon the [department] board as hereinbefore provided If an appeal shall be so taken such an appeal shall act as supersedeas until ten (10) days from and after the date of the filing of the transcript by the [department] board in the court of common pleas of Dauphin County and notice thereof by it given to the licensee but not longer unless the said court of common pleas shall upon motion of the licensee grant an order of supersedeas in which case the appeal shall be heard by the said court and its decision entered within thirty (30) days after the granting of such order of supersedeas An appeal shall lie from the decision of the said court of common pleas to the Superior Court but no such appeal shall operate as a supersedeas unless made so by special order of the appellate court

Section 11 (a) In all proceedings before the [department] board and as well in all proceedings upon appeal from any of its decisions the record or a duly certified or exemplified copy thereof in any proceedings at law or in equity in any court of competent jurisdiction in this or any other State in which the applicant or licensee charged or under investigation shall have been a party shall be admissible where the issue of fact involved in such proceedings are pertinent to the inquiry before the [department] board and the verdict of the jury or judgment of the court in any such action at law or the decree of the court in any such proceeding in equity shall be prima facie as to the facts at issue in such proceeding and necessarily adjudicated therein So also the verdict of the jury in any criminal prosecution in a court of record of this or any other State in which the applicant or licensee charged shall have been the defendant shall be conclusive as to the facts charged and at issue in such prosecution

(b) Where during the term of any license issued by the department the licensee shall be convicted in a court of competent jurisdiction in this or any other State of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses and a duly certified or exemplified copy of the record in such proceeding shall be filed with the [department] board the [department] board shall revoke forthwith the license by it theretofore issued to the licensee so convicted

(c) In the event that any licensee shall be indicted in this or any other State for forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses and a certified copy of the indictment to be filed with the [department] board or other proper evidence thereof be to it given the [department] board shall have authority in its discretion to suspend the license issued to such licensee pending trial upon such indictment

(d) In the event of the revocation or suspension of the license issued to any member of a copartnership or to any officer of an association or corporation the license issued to such copartnership association or corporation shall be revoked by the [department] board unless within a time fixed by the [department] board where a copartnership the connection therewith of the member whose license has been revoked shall be severed and his interest in the copartnership and his share in its activities brought to an end or where an association or corporation the offending officer shall be discharged and shall have no further participation in its activities

(e) Pending an investigation or proceeding before the [department] board affecting any licensee and as well pending final decision upon any appeal taken by a licensee from the ruling of the [department] board no new license shall be issued to such licensee or to a copartnership of which he is a member or employee or to an association or corporation of which he shall be an officer or employee except for the period of such investigation or proceeding and subject to the action of the [department] board thereon or therein

(f) After the revocation of any license no new license shall be issued to the same licensee within a period of one year from and after the date of such revocation nor at any time thereafter except in the sole discretion of the [department] board

(g) No license shall be issued by the department to any person known by it to have been within five (5) years theretofore convicted of forgery embezzlement obtaining money under false pretenses extortion criminal conspiracy to defraud or other like offense or offenses or to any copartnership of which such person is a member or to any association or corporation of which said person is an officer or employe or in which as a stockholder such person has or exercises a controlling interest either directly or indirectly

Section 12 (a) Any person copartnership association or corporation who shall after the first day of January nineteen hundred and thirty engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without a license or shall carry on or continue business after the suspension or revocation of any such license to him or it issued or shall employ any person as a real estate salesman to whom a license as a real estate salesman has not been issued or whose license as such shall have been revoked or suspended shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than fifty dollars ($50) nor more than one hundred dollars ($100) and for a second and any subsequent offense shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000) or undergo imprisonment for a period of not more than one (1) year or both in the discretion of the court

(b) Any holder of a certificate of registration who shall fail to apply for a renewal of his or her certificate of registration on or before the renewal date in each year and who continues the practice of real estate broker or real estate salesman shall on conviction thereof be subject to a fine of not more than ten dollars ($10) to be collected by summary conviction as like fines are collected by law and in case of nonpayment of fine to undergo an imprisonment for a period not to exceed ten (10) days Any such person shall have the right of appeal as in other cases of summary conviction

Section 13 (a) The [department] board and each of its duly authorized [assistants and deputies] representatives and as well any special [deputy] representative appointed by it to hold a hearing in any particular case shall have power to administer oaths and to issue subpoenas for the attendance of witnesses and the production of books and papers In any hearing in any part of the Commonwealth the process issued by the [department] board shall extend to all parts of the Commonwealth and such process shall be served either in like manner as are served writs of subpoena in the court of common pleas or by any person designated by the [department] board for such purpose The person serving such process shall receive such compensation as may be allowed by the [department] board not to exceed the fee prescribed by law for similar services in the courts of common pleas and such fees shall be paid in the same manner as provided herein for the fees of witnesses subpoenaed at the instance of the [department] board All witnesses who shall be subpoenaed and who shall appear in any proceeding before the [department] board shall receive the same fees and mileage as allowed by law to witnesses in the court of common pleas which amount shall be paid by the party at whose instance the subpoena was issued or upon whose behalf the witness has been called When any witness who has not been subpoenaed at the instance of any party to the proceeding shall be subpoenaed at the instance of the [department] board or its [assistant or deputies] representatives general or special the fees and mileage of such witness shall be paid from the funds appropriated to the use of the said department in the same manner as other expenses of the department are paid

(b) Where in any proceeding before the [department] board any witness shall fail or refuse to attend upon subpoena issued by the [department] board or any of its [assistants or deputies] representatives general or special or appearing shall refuse to testify or shall refuse to produce any books and papers the production of which is called for by the subpoena the attendance of such witness and the giving of his testimony and the production of the books and papers required shall be enforced by any court of common pleas of this Commonwealth in like manner as are enforced the attendance and testimony of witnesses before commissioners appointed by any court of the United States or of any other State to examine or take the testimony of witnesses within this Commonwealth

(c) The court of common pleas of any county shall upon the application of the [department] board issue commissions or letters rogatory to other States for the taking of evidence there for use in any proceeding before the [department] board The [department] board shall make such application at the instance of any party to the proceeding before it unless in the opinion of the [department] board such application is made for the purpose of delay Any such party shall be entitled as of right to subpoenas from the [department] board directed to such witnesses and for the production of such books and papers as the party may desire

Section 14 No violation of any of the provisions of this act on the part of any real estate salesman or other employe of any licensed real estate broker shall be ground for the revocation of the license of the employer of such salesman or employe unless it shall appear upon the hearing had that such employer had guilty knowledge of such violation A course of dealing shown to have been persistently and consistently followed by such employe shall constitute prima facie evidence of such knowledge upon the part of his employer

Section 15 (a) It shall be unlawful for any licensed real estate broker or real estate salesman to pay any compensation in money or other valuable thing to any person other than a licensed real estate broker or real estate salesman for the rendering of any service or the doing of any of the acts by this act forbidden to be rendered or performed by other than licensees

(b) No real estate salesman shall accept or receive compensation of any kind from any person other than the licensed real estate broker by whom he is employed for any service rendered or work done by such salesman in buying selling exchanging leasing or negotiating a loan upon real estate or interest therein

(c) The violation of the provisions of this section by any licensee shall be sufficient cause for the suspension or revocation of his license in the discretion of the [department] board

Section 16 No action or suit shall be instituted nor recovery therein be had in any court of this Commonwealth by any person copartnership association or corporation for compensation for any act done or service rendered the doing or rendering of which is prohibited under the provisions of this act to others than licensed real estate brokers unless such person copartnership association or corporation was duly licensed hereunder as real estate broker at the time of the doing of such act or the rendering of such service

Section 17 The [department] board may act by a majority vote of the members thereof and authority is hereby given to the [department] board to adopt fix and establish all rules and regulations in its opinion necessary for the conduct of its business the holding of hearings before it and its [deputies] representatives and otherwise generally for the carrying out of the provisions of this act

Section 18 If any section subsection sentence clause phrase or requirement of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portions thereof The Legislature hereby declares that it would have passed this act each section subsection sentence clause phrase and requirement thereof irrespective of the fact that any one or more sections subsections sentences clauses phrases or requirements be declared unconstitutional

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—110

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McClester,
McKinney,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Simons,
Sollenberger,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,

Costa,
Coulson,
Dague,
Dalrymple,
Depuy,
Dix,
Elder,
Ely,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Helm,
Hewitt,
Hocke,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kowalski,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wallin,
Walton,
Watkins,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—34

Baker,
Barrett,
Bentzel,
Boory,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Duffy,
Elliott,
Green,
Hamilton,
Heatherington,
Kirley,
Lane,
Leonard,
Lovett,
Modell,
Mooney,
O'Connor,
Owens,
Powers,
Reese, R. E.,
Regan,
Reynolds,
Scanlon,
Schuster,
Skale,
Snider,
Weiss,
Welsh,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 722, as follows:

An Act to amend section one of the act approved the eighth day of July one thousand nine hundred and nineteen (P. L. 782) entitled "An act providing that clerks assisting the registers of wills in the collection of inheritance taxes in counties having a population of less than one million five hundred thousand inhabitants shall be appointed and their compensation fixed by the Auditor General and prescribing the method of their payment and that of other expenses incident to the collection of said taxes" by providing that the Secretary of Revenue shall appoint and fix the compensation of clerks assisting the register of wills in the collection of inheritance taxes in counties other than the first and second class and requiring the approval of the Secretary of Revenue to pay the compensation from such taxes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the eighth day of July one thousand nine hundred and nineteen (P. L. 782) entitled "An act providing that clerks assisting the registers of wills in the collection of inheritance taxes in counties having a population of less than one million five hundred thousand inhabitants shall be appointed and their compensation fixed by the Auditor General and prescribing the method of their payment and that of other expenses incident to the collection of said taxes" is hereby amended to read as follows

Section 1 Be it enacted &c That all clerks and other persons other than appraisers required to assist any register of wills in [any county of this Commonwealth having a population of less than one million five hundred thousand inhabitants] counties other than counties of the first and second class in collecting and paying over inheritance taxes shall be appointed and their compensatin fixed by the [Auditor General] Secretary of Revenue and upon his approval and order shall be paid out of the said taxes in the hands of the registers together with other necessary expenses incident to the collection of such taxes

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALTER E. ROSE. Mr. Speaker, I would like to ask that this bill and the following three bills be debated at the same time inasmuch as they all comprise one subject.

The SPEAKER. If there is no objection these four bills will be debated at one time. The Chair hears none.

Mr. COHEN. Mr. Speaker, the passage or non-passage of these four bills will not help to win the war. However, Mr. Speaker, the passage of these four bills, as I view them, represents a frame of mind on the part of those who are pledged to legislate to win the war, to lay aside that duty and to indulge in the oft discussed policy of ripping. The politics involved in the bill I should not complain about, because the charge has been made and can be made, I suppose, that as a Member of the majority in 1937, I voted for ripper legislation. In 1937 we were not at war; in 1937 there were no campaign pledges, there were no promises, no statements by the Chief Executive, that we should devote ourselves to the war effort and to exclude from consideration politics. So it is on that basis, Mr. Speaker, that I speak on these bills.

The four bills amend various acts which in their essence take away from the Auditor General of the Commonwealth certain functions and duties which he has performed for many, many years, both under Republican Auditors General and under Democratic Auditors General. It seems as if for many, many years in this Commonwealth we felt as if this was the proper office for the performance of these functions, because the Auditor General's Office, as you probably well know, is a Constitutional office, with a head elected by the people of the Commonwealth, whereas the office to which they are being sent is an office that is run by a man who is merely appointed by the Governor of the Commonwealth. Let me say but one thing to the Members on the other side, at least to many of the Members on the other side and you can take it from me I speak from experience, we in Philadelphia have a type of politics that does not exist anywhere else in Pennsylvania, and the passage of these bills is going to give to a Philadelphia politician, not only greater political power in Philadelphia, but he is going to have the power to stick his fingers into sixty-six other counties in Pennsylvania and I can assure you, gentlemen, with telling political effect.

Nothing that I say will change your minds and I don't think it is going to change your vote, but I will tell you today, and I make this prophecy, that you are building up a Frankenstein which one day will do you harm. One of the bills we have before us is an amendment to the Act of 1929, the Fiscal Code. At that time we had legislative expression on this subject in the hall of this House, and at that time the then Auditor General, now the Governor of the Commonwealth, thought that it was the real place to have such an important function, the collection of inheritance taxes, remain in the Auditor General's office, and there it has reposed ever since.

Let me tell you one or two facts, that you should remember when you vote "aye" on these bills. Under the Act of 1929, to further enlarge the political booty that goes with the appointment of the appraisers, provision was made for the appointment of special appraisers in special cases. Probably at that time it was a high sounding sort of an idea that if you had special difficulties in appraising estates for the purpose of levying inheritance taxes, that there should be experts engaged. Now, maybe it is a high sounding thing; maybe in theory it is ok, but in 1929 there started a pernicous system that remained in effect, I believe, until the present Auditor General took office. Under that system of special appraisers it was possible to repay, especially to favored sons of the administration, or possibly of the Auditor General, special fat fees to men who did not serve the Commonwealth in any other way but to especially appraise in but one instance, and this was usually set up in large estates.

I am referring for one to the Wanamaker estate. I believe it is a good example, because under the Wanamaker estate and the appraisements made therein, one gentleman from Montgomery County, I believe, and one gentleman from Philadelphia County were appointed special appraisers. The result of that appointment meant and means that today these two men have before the Board of Claims of the Commonwealth claims for fifty thousand dollars and fifteen thousand dollars respectively for being special appraisers in that estate. I don't know how much work they did, I don't know how expert they were at their jobs, but it seems to me that it was a poor practice suddenly to pickup a so-called expert where the government could have set up to have experts and to have persons regularly employed who are qualified to appraise estates. The present Auditor General decided against that practice, and instead appointed regularly employed persons who did all the special appraising, and incidently one of the two gentlemen who is still seeking the fat fees for his special job, is also on the payroll of the Register of Wills of Philadelphia County, and has been under successive Republican and Democratic Registers, at a salary of seventy-five hundred dollars a year.

Mr. Speaker, if the present record of the Auditor General is able to show that he was able to make such changes, and since the responsibility placed in him as a constitutional office holder and elected by the people of the Commonwealth, as a governmental proposition I can see no change justified at this time. Of course I am talking now of good governmental practices and good administrative practices. If we go to the lower level of ripping, I won't say a word, and I do not propose to say a word about ripping.

One other thing we have got to remember, and I am telling this to everyone here because it is a matter of money, that the transfer of these functions to the Department of Revenue will undoubtedly mean the employment of a great number of persons such as are presently employed by the Auditor General. But don't forget that you will have to take care of and make provision for the auditing, expert auditing, that must be done on these accounts. The job in itself is monumental. The appraising of estates and the collection of taxes is a tremendous job; likewise the auditing must also entail considerable expense to the Commonwealth.

I have asked for, Mr. Speaker, and I propose to submit now, that a proper departmental auditing of inheritance tax collections will probably cost the Commonwealth $292,700 at a minimum in the next biennium for the purpose of making these appraisals. Therefore, we are not economizing in any way, shape or form; we are just going on an extra spending spree to satisfy the whims of a Philadelphia politician who one day will make the people, the politicians or the governmental officials of sixty-six other counties sorry that they made such a transfer, because, as I said before, politics are pretty ruthless in Philadelphia County and they are played pretty tough. I do not believe that it is going to be very long before the politics of Philadelphia, through a system of control, controlled by Philadelphia politicians, is going to reach out into every county and cause you the same kind of headaches that the people of Philadelphia have had under the same ruthless kind of political manipulation that the head of the Department of Revenue can hand out. I only want to make these remarks for the record because, making a very fast and expert appraisal of the gentlemen on the other side, I find that I have not caused a tear to flow nor a vote to change.

Mr. WALTER E. ROSE. Mr. Speaker, I can quite see why the gentleman from Philadelphia prefers not to go into the subject of ripping legislation. I can see why the very subject is painful and haunting to him, but by the same token I do not like to have him in a backhanded sort of way claim that we have no other purpose but ripping, or even that we have the intention of ripping on this bill.

For the purpose of the record, passing over that phase a moment, and in order to show why this is a good and necessary piece of legislation, to explain why it has not been done long, long before, let us read a little history.

In the preface to this history, we will find an explanation of the fiscal policies of the state prior to 1929. At that time there were more than one hundred special funds. Every department was a kind of bank unto itself. Even State-aided institutions had their own bank accounts. As a result of a study which cost over half a million dollars certain changes, basic changes in the fiscal management of the state were made. In 1929 the administrative code was passed, setting up a Department of Revenue, and through the fiscal code of the same year the collection of all taxes of the Commonwealth was placed in the hands of this Department of Revenue. At that time the appointment of appraisers for inheritance taxes was not placed in the hands of the newly created Department of Revenue, for I will admit, interparty politics. It was not expedient at that time, because of a division in the party, to put them all into the Department of Revenue, although let me remark that the actual power of collection was placed in the Department of Revenue.

Now, passing over that phase and going into Chapter 1 we find that Governor Pinchot at that time twice tried to have the inheritance tax powers transferred from the Auditor General to the Department of Revenue. Let us be frank on the subject. We are trying to hide nothing here. We admit that the chief and only reason it was not done then was because of disagreement within the party in control at that time; but the request was made or an attempt was made, and it failed.

In 1933, going into Chapter 2, we find that the Sterling Report was made. They made a sound investigation into the affairs of the Commonwealth, and they advised and recommended that this change be made from the

Auditor General's department to the Department of Revenue. Here again, for the same reason, that change was not made.

Then, Mr. Speaker, we come to Chapter 3 of this history. We find that Governor Earle has been elected to office. Governor Earle in his budget message recommended legislation transferring the appointment of the appraisers of inheritance taxes from the Auditor General over to the Department of Revenue, and he proclaimed, contrary to the statements of the gentleman from Philadelphia, that we would save up into the millions of dollars by this change. Accordingly under Governor Earle a bill was introduced into the 1935 Legislature by Mr. Achterman. I have the bill here. Mr. Achterman at that time, I believe, was the Whip or if he was not, he was an important leader in the party.

Mr. Achterman introduced this bill to transfer the appraisals from the Auditor General to the Department of Revenue and it passed the House, and incidentally I might say that the roll-call on that bill in the House convinces me that we cannot expect a vote on party lines, because we find that no fewer than fourteen Members of the present minority voted in favor of the bill to accomplish this purpose which their leader now claims is wrong. However, we had a Republican Senate at that time and they failed to go along because they felt they should not sacrifice their political power.

Going into the next chapter, in 1937 the Democratic party had control of both branches of the Legislature, and again this same change was recommended and again a bill was introduced, this time by Mr. Ominsky who was then the whip of the Democratic party. This bill again provided for the transfer from the Auditor General's Department to the Department of Revenue these appraisers in question today. This bill was introduced early in the session, because it is only No. 92 of that session, but it lay in committee for quite a little while. It became apparent to the party that there was no use to transfer these appraisers so far as they were concerned, because in June their newly elected Democratic Auditor General would be coming into power, and they sidestepped the question of ripper and maintained the appointments in the Auditor General's Department.

There again we had a case of division of party leadership, the same as had blocked this necessary reform for two previous sessions of Legislature.

Now, we come down to 1939. We had no chance in 1939, if you will recall the set-up, and besides that I will admit the then Auditor General was doing a good job, and it was decided in view of the slimness of the majority which we had in the Senate and the problems that were created, to side-step this question.

In 1941, going into the next chapter, the Joint State Government Commission made its report to the Legislature and requested and recommended that this change be made for efficiency in government and for economy in the collection of taxes.

Now, in 1943, the present chapter that we are now writing, we find at last that we are going to go ahead and make this transfer which has been recommended since 1929, and which has come up in one form or another in every session of the Legislature. We find that we are going to take the step necessary to make this reform which I pointed out is necessary.

Looking back and reviewing that little bit of history, you will find that this move has been blocked year after year, not because anybody could show that it was wrong, but because either of political strife between the parties or because of political division on the part of the party in power, this misunderstanding has in every instance worked to the detriment of the taxpayers and the people of the Commonwealth. This misunderstanding has put off and delayed this reform which we now propose to put through.

The gentleman of the minority think perhaps that we can be frightened by the word "ripper." I say that we are not going to be and need not be, because this is not a ripper bill. If I could take the time I would like to refer all the Members to the speech made by the gentleman from Monroe, Mr. Achterman, in the 1935 session. He claimed at that time that as a result of a study the sum of $4,300,000 per biennium would be saved. He showed how he arrived at these figures by referring to an investigation by the Department of Revenue into the efficiency of the system. He suggested, for example, that in addition to the amounts in which collections were in default, that many counties were each being served by one appraiser, when one appraiser could efficiently serve many counties in an area. He felt that the discharge of these employes would save a lot of travelling expense. He pointed out, as I want to point out, that the power of collection is not in the Auditor General's Department at present. The power of collection, the supervision of collections and assessments, the checking of reports, the making of the forms and prescribing of the methods of collection are all now in the Department of Revenue. The only thing that the Auditor General has is the naked power of appointment, and the system is bad because the men appointed by him are not responsible to the people in the Department of Revenue who really prescribe the work. They need respond only to the Auditor General. Regardless of what party is in control of either office or both offices, that system is faulty, where a man working for one person is responsible to another person.

I did not care particularly, Mr. Speaker, to go into the things brought up by the gentleman from Philadelphia regarding the present Auditor General. He has claimed, however, I think, that it would cost $292,000 to audit these accounts. Let me point out here that the Auditor General would not be auditing these accounts. He would be auditing the Department of Revenue, and any work that is carried out in the auditing of the inheritance taxes is something that should be and is being done right now, so that there should be no additional expense. So far as the improvements provided by the present Auditor General are concerned, let me point out only by reference to the figures in the cost of collection of this thing. I have a short resume here of the gross collections and the expense of collections for various years. Up until 1940 we find that the cost of collection ran approximately four and a half or four and three quarters to five per cent for four previous years.

That includes, gentlemen, years in which each party had its hand in the control of the Auditor General's office. Then we find that in 1941 and in 1942 the taxes collected, the gross collections were not only much lower than they had been in any of these previous years, but the actual expense of collections was greatly increased, with the result that the percentage of the cost of collections rose from four and a half or five to seven and a half percent, and in 1942, eight percent.

I say therefore that certainly no claim can be made because of the efficiency of the present Auditor General, that the change desired for more than ten years should now be delayed. I say that we intend to, hope to, and we feel confident that we are doing the right thing when we do transfer the power of appointment over to the Department which at present controls the collection of these taxes.

There is no reason to call this a ripper; it is a long needed reform. This bill, gentlemen, represents good legislation, and if some partisan people want to cry out that we have some ulterior motives in this bill, we stand ready to meet that challenge, and if we are wrong the people will make us answer for it. We are going to maintain our position and vote for this bill and the following three bills to accomplish something which has already been too long delayed.

Mr. COHEN. Mr. Speaker, I will accept the plane upon which the debate thus far has gone and will continue it so. The gentleman from Cambria very frankly told us about the lurid past of this particular function, and makes reference to interparty strife and strife between parties as having been associated with the history of this agency ever since its inception. So, Mr. Speaker, we will let it go until 1940, but I have to say this, I think that the record will show and the figures will prove, that the collection power of this tax is in the Department of Revenue, it was a good thing in 1941 when the present Auditor General took office that he did a little bit more than merely appoint appraisers to merely appraise the estates, because when he took office, by reason of this dereliction on the part of previous Secretaries of Revenue, if we may term it such, the collections had fallen off so badly, and this orphan of state government had been so sadly neglected, that when the present Auditor General took office, an inspection and survey of that particular tax showed that there were three thousand one hundred and eighty-nine delinquent accounts, delinquent estates; there were three thousand one hundred and eighty-nine estates on which the taxes had not been collected and were in a delinquent status. The Department of Revenue had not been on its toes. The present Auditor General instituted a system to hurry up and to bring in this cash to the Commonwealth, at an extra cost, admittedly so, but he was able to do a good job in bringing in a lot of extra money which otherwise might still be lying on the books and in the banks and in the accounts of the administrators of the various estates, at a great loss to the Commonwealth, but in that one year by getting after the collecting agency of the Department of Revenue, the Auditor General, at an additional expense of just six tenths of one percent of the total, was able to collect over one million dollars in delinquent accounts, one million dollars more than had previously come in on delinquent accounts. That amounted to just about six percent, or a little more than six percent of the entire collections for that year. It seems as if the Secretaries of Revenue have needed prodding and should have had prodding, because their collection of these taxes was in bad shape. The Auditor General did that job. The Auditor General went further, instead of having these appraisers travel all over the State, he set the state up into ten separate districts and had appraisers in those districts take care of the business in those districts, so that traveling expenses were cut down. By so doing, I believe, proved to the people and proved to the Commonwealth, that merely allowing the Secretary of Revenue the right to collect the taxes never meant that the tax was collected. You have to have somebody prod the collector to get this money in because at best the estimates of revenue from inheritance taxes are guess work; you can never tell for a certainty how many people are going to die or how large their estates are going to be. It seems to me that the Secretaries of Revenue when they got in the amount of money that looked like the amount set up in the budget estimate, they sort of held off and stopped collecting, or at least were not very efficient in their collecting. The Auditor General made a real effort and really collected this money and that should be on the record.

As to the additional expense that must come to the present Auditor General should this function be removed from him, the auditing will not be merely auditing the figures submitted, but it seems to me that good auditing, good bookkeeping would indicate that persons in this department would have to duplicate in a great measure the work of the appraiser under the Secretary of Revenue, because, as has been demonstrated, so many of these accounts have been delinquent that someone will have to do something about making certain that they are taken out of the delinquent class and the tax actually brought into the treasury. The Auditor General will have to do that job because when his appraisers did the job those records under the Auditor General's control obviated the necessity for duplicating the audit of the Revenue Department's books to cover the same material that his own Department covered in prodding those collections. I think that the move being made is only being made because jobs are wanted, because if the method of collecting taxes was bad in 1929, 1931, 1933, 1935 and 1937, certainly it must have been just as bad in 1939, and in 1939 when the Republican party had good majorities in the House and Senate, and I refer to a good Senate majority, because when there were bills that were wanted by Arthur James they were passed and the votes were counted. Arthur James got all the legislation he wanted and he got it because he had enough votes to do it. All he needed was 26 votes, and by the time the session had gone but two or three weeks he had 26 or 27 true, tried and trusted voters.

I think what happened in 1939 was that it was demonstrated rather emphatically at least on the other side of this building that the method of collection and auditing that now prevails should remain, and I insist that it should remain today.

Mr. WALTER E. ROSE. Mr. Speaker, I want to take just a moment to reply to the gentleman's last statement. Taking his figures at face as to what happened in 1941, without exactly knowing the figures myself, I will agree with him and say just so; I don't doubt that a bit, because that situation arose. This is the very fault of this system that we are now trying to correct. He said that the Auditor General prodded these collectors in the collection. That was my point before and I make it again now, the Auditor General had become delinquent in his collections, or his employes had become delinquent, and who by the way were Democratic employes and not Republican, if the Department of Revenue was unable to prod those men into quick action even when the present Auditor General took over, again it is the fault of the system. The Auditor General did not have control, he could not tell these men, "You go out and get those taxes or you are dismissed." The Auditor General had only the power to say, "You go out and collect these taxes." It is no surprise to me that they were able to get more, because if they were faced with orders from their employer, instead of being faced with a request, it is quite natural that they would do more collecting.

But that does not explain the fact that the cost of collection rose still higher, up to eight percent when actually the receipts were decreasing, and all of this at a time when general taxes all over the state were up some $80,000,000. So again I say that this is a necessary move to keep the collection of the inheritance tax on the same basis of efficiency as we have established in the other forms of taxes, and again I urge the support of these bills by all the Members of the House, regardless of their political affiliation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—112

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Calvin,
Campbell,
Cook.
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Simons,
Sollenberger,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—53

Baker,
Barrett,
Bentzel,
Boory,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Corrigan,
Dillon,
Duffy,
Elliott,
Green,
Haberlen,
Hamilton,
Heatherington,
Hersch,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Brien.
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Regan,
Reynolds,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Trent,
Weiss,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 723 as follows:

An Act to amend sections one two and three of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 727) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' authorizing the Auditor General to appoint investigators and appraisers and providing for their compensation" by giving the Secretary of Revenue complete supervision of appraisements in estates of resident decedents and the power to adopt rules and regulations by conferring upon the Secretary of Revenue the power to employ necessary investigators and appraisers for the enforcement of the transfer inheritance tax laws and to fix the compensation of permanent appraisers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two and three of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 727) entitled "A supplement to the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal' authorizing the Auditor General to appoint investigators and appraisers and providing for their compensation" are hereby amended to read as follows

Section 1 Be it enacted &c That the [Auditor General] Secretary of Revenue shall have complete supervision of the making of appraisements in estates of resident decedents He shall have power to adopt and enforce rules and regulations for the just administration of the act to which this is a supplement The several registers of wills shall continue to collect the transfer inheritance taxes and to receive the compensation for such services now provided by law

Section 2 The [Auditor General] Secretary of Revenue shall have power to employ such investigators and appraisers as may be deemed necessary to carry out and enforce the transfer inheritance tax laws Whenever occasion may require an appraiser appointed by the [Auditor General] Secretary of Revenue instead of an appraiser now appointed by the register of wills shall appraise the value of the property or estate of which a resident decedent died seized or possessed Such appraisers shall have the powers and perform the duties now prescribed by law in the making of such appraisements

Section 3 The compensation of such appraisers shall be as now fixed by law except where the [Auditor General] Secretary of Revenue shall appoint one or more permanent appraisers for a county or a permanent appraiser in one or more counties in which cases the [Auditor General] Secretary of Revenue shall have power to fix the compensation of such appraisers The compensation of the investigators appointed under this act shall be fixed by the [Auditor General] Secretary of Revenue The compensation of appraisers and investigators shall be paid from inheritance tax collections in the respective counties.

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—112

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Simons,
Sollenberger,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—54

Baker,
Barrett,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Coleman,
Corrigan,
Dillon,
Duffy,
Elliott,
Finnerty,
Green,
Haberlen,
Hamilton,
Heatherington,
Herman,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Leonard,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Pettit,
Polaski,
Powers,
Reese, R. E.,
Regan,
Reynolds,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Trent,
Weiss,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 751, as follows:

An Act to amend section twelve and to further amend section fourteen and to amend sections fifteen eighteen twenty-two twenty-three twenty-six twenty-nine thirty-one thirty-six forty and forty-two of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by providing for certification to the Secretary of Revenue as to the necessity for the appointment of expert appraisers or those possessed of technical knowledge and for the approval by the Secretary of Revenue of the appointment of such expert appraisers and of the statements rendered by them for compensation and for the monthly transmittal by the Secretary of Revenue of the returns of such appraisers and the recording by him thereof vesting in the Secretary of Revenue the powers of the register of wills in certain cases requiring duplicate tax receipts and the bond and monthly return to be sent to the Secretary of Revenue prohibiting transfer of stock without certificate from the Secretary of Revenue and penalty for violation providing for refunds for erroneous inheritance tax payments on proof of the Secretary of Revenue and for dismissal by the Secretary of Revenue of appraisers for accepting fees or rewards vesting in the Secretary of Revenue the power to appoint and fix the compensation of additional appraisers or experts employed for appraisal purposes and for their payment and providing further for the collection by the Secretary of Revenue of all inheritance taxes due the Commonwealth from nonresident decedents and making monthly reports thereon to the State Treasurer

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby amended to read as follows

Section 12 Whenever because of the complicated nature of an estate subject to the payment of such tax the interest of the Commonwealth shall require the appointment as appraiser of such estate of a person possessed of expert or technical knowledge to ascertain the value thereof reasonable additional compensation shall be allowed such appraiser for the exercise of such expert or technical knowledge In case where after the appointment of an appraiser it shall appear that the proper appraisement of said estate will require the services of a person possessed of expert or technical knowledge whereof the appraiser appointed is not possessed the appraiser may employ the services of a person possessed of expert or technical knowledge to assist him in the appraisement and for such services the person so employed shall receive reasonable compensation In all such cases the register of wills appointing the appraiser shall certify to the [Auditor General] Secretary of Revenue that there is an actual necessity for the appointment of an appraiser possessed of expert or technical knowledge or that the appraiser already appointed to appraise the estate in question should be assisted by a person possessed of such knowledge No person shall be appointed as such expert appraiser or as expert assistant to the appraiser until the approval of the [Auditor General] Secretary of Revenue of said appointment is first obtained nor shall any payment be made to any appraiser or to any person employed by him under this section until an itemized statement of the services performed and the compensation recommended shall have been rendered under oath or affirmation to the [Auditor General] Secretary of Revenue for his approval and shall have received the same No clerk or other person employed in the office of a register of wills shall be appointed as an expert appraiser of an estate subject to the payment of such tax nor as an expert to assist the appraiser of such estate

Section 2 Section fourteen of said act as amended by the act approved the twelfth day of July one thousand nine hundred and twenty-three (P. L. 1078) is hereby further amended to read as follows

Section 14 The register of wills shall enter in a book to be provided at the expense of the Commonwealth which shall be a public record the returns made by all appraisers appointed by him under the provisions of this act opening an account in favor of the Commonwealth against each decedent's estate The register may give certificates of payment of such tax from such record The register shall transmit to the [Auditor General] Secretary of Revenue on the first day of each month a statement of all returns made by appraisers during the preceding month upon which the taxes have been paid or remain unpaid which statement shall be entered by the [Auditor General] Secretary of Revenue in a book to be kept for that purpose

Section 3 Sections fifteen eighteen twenty-two twenty-three twenty-six twenty-nine thirty-one thirty-six forty and forty-two of said act are hereby amended to read as follows

Section 15 If the register shall discover upon the transfer of any property of a resident decedent that any tax imposed by this act has not been paid the orphans' court may cite the executors or administrators of the decedent whose estate is subject to the tax to file an account or to appear on a certain day and show cause why the tax should not be paid When personal service cannot be had notice shall be given for four weeks once a week in at least one newspaper published in the county and in the legal periodical designated by the rules of court of the county for the publication of legal notices If the tax shall be found to be due the delinquent shall pay the tax and costs The [Auditor General] Secretary of Revenue in the settlement of accounts of any register may allow him costs of advertising and other reasonable fees and expenses incurred in the collection of the tax

Section 18 Any executor or administrator on the payment of said tax shall take duplicate receipts from the register both of which shall be forwarded forthwith to the [Auditor General] Secretary of Revenue who shall charge the register receiving the money with the amount and seal with the seal of his office and countersign the original receipt and transmit it to the executor or administrator whereupon it shall be a proper voucher in the settlement of the estate In no event shall an executor or administrator be entitled to a credit in his account by the register unless the receipt is so sealed and countersigned by the [Auditor General] Secretary of Revenue

Section 22 Each register shall give bond to the Commonwealth in such penal sum as the orphans' court may direct with two or more sufficient sureties for the faithful performance of the duties hereby imposed and for the regular accounting and paying over of the amounts to be collected and received This bond when executed and approved shall be forwarded to the [Auditor General] Secretary of Revenue

Until such bond and security be given the said tax shall be collected by the county treasurer In such cases all the provisions of this act relating to collection and payment by registers shall apply to the county treasurer

Section 23 Each register of wills shall on the first Monday of each month make return to the [Auditor General] Secretary of Revenue and return and payment to the State Treasurer of all taxes imposed and received under this act stating for what estate paid upon All taxes collected him him and not paid over within one month after his quarterly return of the same he shall pay interest at the rate of twelve per centum per annum until paid

Section 26 Whenever the interest of the Commonwealth may require it the [Auditor General] Secretary of Revenue is hereby authorized to appoint such additional appraisers or employ such expert services as he may deem best to appraise the property of any nonresident decedent subject to the tax hereinbefore imposed The compensation of all appraisers appointed and of all persons employed by the [Auditor General] Secretary of Revenue in making such appraisement shall be fixed by him and together with all necessary expenses incurred by them in the performance of their duties shall be paid out of any unexpended funds appropriate to the Department of [the Auditor General] Revenue upon [his] the warrant of the Auditor General

Section 29 Whenever any tax imposed by this act upon the transfer of property of a nonresident decedent within this Commonwealth shall have remained due and unpaid for one year the [Auditor General] Secretary of Revenue may apply to the court of common pleas of Dauphin County or of any county in which such property may be situated by bill or petition to enforce the payment of the same whereupon the court having caused notice to be given to the owner of the property subject to the tax or to the executor administrator or trustee of the decedent and to such other parties as may be interested shall proceed according to equity to make such decree or order for the payment of the tax out of such property as shall be just and proper

And the [Auditor General] Secretary of Revenue is hereby further authorized and empowered to bring suit or suits in the name of the Commonwealth of Pennsylvania in any court of this Commonwealth or elsewhere for the recovery of any sum or sums due owing or payable for or on account of any tax imposed by the provisions of this act upon the transfer of property within this Commonwealth of which a nonresident of the Commonwealth may have died seized or possessed with costs of suit

Section 31 The [Auditor General] Secretary of Revenue shall collect all the taxes due or owing the Commonwealth on account of the tax upon the transfer of the property of a nonresident decedent as hereinbefore imposed and shall on the first Monday of each month make report to the State Treasurer of all taxes so collected by him under the provisions of this act during the preceding month stating for what estate paid upon

Section 36 No corporation of this Commonwealth or national banking association located in this Commonwealth shall transfer any stock of such corporation or of such banking association standing in the name of a decedent whether resident or nonresident or in the joint names of a decedent and one or more persons or in trust for such decedent unless the [Auditor General] Secretary of Revenue has filed with said corporation or national banking association a certificate that the tax imposed by this act on the transfer of such stock has been fully paid or otherwise consents thereto in writing and it shall be lawful for the [Auditor General] Secretary of Revenue either personally or by representative to examine the shares of stock of such decedent at the time of such transfer and also the transfer books of said corporation or association showing such transfer Any such corporation or association making any transfer of the stock standing in the name of a decedent resident or nonresident or in the joint names of a decedent and one or more other persons or in trust for such decedent in violation of the foregoing provisions shall be liable for the payment of the amount of the taxes to which the property so transferred is subject under the provisions of this act and in addition thereto to a penalty of one thousand dollars which liability for such tax and interest or the penalty above described or both shall be enforced in an action of debt in the name of the Commonwealth of Pennsylvania brought by the [Auditor General] Secretary of Revenue thereof and the same when recovered shall be paid into the treasury of the Commonwealth of Pennsylvania for the use of the Commonwealth

Section 40 In all cases where any amount of such tax is paid erroneously the State Treasurer on satisfactory proof rendered to him by the register of wills or [Auditor General] Secretary of Revenue of such erroneous payment may refund and pay over to the person paying such tax the amount erroneously paid All such applications for the repayment of such tax erroneously paid in the treasury shall be made within two years from the date of payment except when the estate upon which such tax has been erroneously paid shall have consisted in whole or in part of a partnership or other interest of uncertain value or shall have been involved in litigation by reason whereof there shall have been an over-valuation of that portion of the estate on which the tax has been assessed and paid which over-valuation could not have been ascertained within said period of two years in which case the application for repayment shall be made to the State Treasurer within one year from the termination of such litigation or ascertainment of such over-valuation

Section 42 It shall be a misdemeanor for an appraiser to take any fee or reward from any executor or administrator legatee lineal descendant or heir of any decedent and for any such offense the register or [Auditor General] Secretary of Revenue as the case may be shall dismiss him from such service Upon conviction of such misdemeanor such appraiser shall be fined not exceeding five hundred dollars or imprisonment not exceeding one year or both

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—112

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Simons,
Sollenberger,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—50

Baker,
Barrett,
Bentzel,
Boory,
Bradley,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Corrigan,
Dillon,
Duffy,
Elliott,
Finnerty,
Green,
Haberlen,
Hamilton,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Connor,
O'Neill,
Owens,
Polaski,
Powers,
Reese, R. E.,
Regan,
Reynolds,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Weiss,
Welsh,
Wright,
Yester.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 768, as follows:

An Act to amend sections four hundred seven and one thousand two hundred and one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officers of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" to further reorganize the Departments of Revenue and of the Auditor General in such manner as to vest in the Department of Revenue the appointment the fixing of the compensation and the approval of the expense accounts and supervision of clerks investigators appraisers expert appraisers permanent appraisers and other employes necessary to enable the registers of wills of the several counties to collect transfer inheritance taxes vesting in the Secretary of Revenue the power to credit the commissions and other expenses and costs of certain accounting officers in the collection of the transfer inheritance tax

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred seven and one thousand two hundred and one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" are hereby amended to read as follows

Section 407 Appointment of Clerks and Appraisers to Assist Registers of Wills in Collecting Transfer Inheritance Taxes The [Auditor General] Secretary of Revenue shall [continue to] appoint or approve the appointment fix the compensation and approve or disapprove the expense accounts of such clerks investigators appraisers expert appraisers permanent appraisers and other employes as may be necessary to enable the registers of wills of the several counties to collect transfer inheritance taxes upon estates of resident decedents as now provided by law

[He shall certify to the Department of Revenue from time to time the names of all persons appointed by him or whose appointment he has approved hereunder the compensation payable to such persons and the amounts of expense accounts which he has approved]

Section 1201 Procedure Relating to Collection of Tax on Transfer of Property of Resident Decedents The Department of Revenue shall exercise the following powers and perform the following duties heretofore exercised and performed by the Auditor General in connection with the collection by the registers of wills of the several counties of transfer inheritance taxes

The Department of Revenue shall have the power and its duty shall be

(a) To supervise the making of appraisements in estates of resident decedents and for this purpose to adopt and enforce rules and regulations for the just administration of the laws imposing transfer inheritance taxes

(b) To approve or disapprove all expense accounts of appraisers appointed by registers of wills to appraise decedents' estates

(c) To supervise the work of investigators appraisers expert appraisers permanent appraisers and other employes appointed by the [Auditor General] Secretary of Revenue to assist registers of wills in enforcing the transfer inheritance tax laws

(d) To receive from the several registers of wills and enter in a book to be kept for the purpose the monthly statements of all returns made by appraisers during the preceding month upon which the taxes have been paid or remain unpaid

(e) To exercise all of the powers vested in the register of wills if the register of wills in any case fails within the time provided by law to take the proceedings necessary to secure the filing of the inventory or schedule of the property of a resident decedent or to collect the tax due and for this purpose to institute such proceedings as may be necessary charging to the register of wills and deducting from any commissions or fees otherwise due him all costs expenses and attorney's fees incurred by the department in connection with such proceedings

(f) In settling the accounts of registers or of any county treasurer who has acted prior to the qualification of the register of wills of his county to credit the accounting officer and deduct from the settlement all commissions due such officer for collecting transfer inheritance taxes the compensation and expenses paid with the approval of the [Auditor General] Secretary of Revenue to investigators appraisers and expert appraisers the costs of advertising and all other reasonable fees and expenses incurred in the collection of the tax and

(g) To receive from registers of wills all duplicate receipts for taxes paid to them by executors and administrators to charge the registers receiving the money with the amounts receipted for to seal with its official seal and countersign the original receipt and transmit it to the executor or administrator whereupon it shall be a proper voucher in the settlement of the estate In no event shall the executor or administrator be entitled to a credit in his account by the register unless the receipt is so sealed and countersigned by the Department of Revenue

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—113

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Calvin,
Campbell,
Cook.
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman.
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Simons,
Sollenberger,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.
Wood N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—47

Baker,
Barrett,
Bentzel,
Boory,
Bradley,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Coleman,
Dillon,
Duffy,
Elliott,
Green,
Haberlen,
Hamilton,
Heatherington,
Herman,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Polaski,
Powers,
Reese
Reyn
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Weiss,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE

Mr. LLOYD H. WOOD. Mr. Speaker, I move that the vote by which House Bill No. 844, Printer's No. 373, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that under war time conditions the Department of Property and Supplies may make certain purchases and may authorize any department board or commission to make certain purchases without advertising, or competitive bidding, further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans and specifications therefor and relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings and authorizing departments, boards and commissions to make certain purchases of repair parts, to contract for public utility services, to rent machinery and equipment, to employ labor on a temporary basis under certain conditions, to subscribe to certain publications, and to take memberships in certain organizations and societies

was defeated on final passage in the House on Thursday, April 8, 1943, be reconsidered.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I second that motion.

The SPEAKER. How did the gentleman from Montgomery, Mr. Wood, vote on the final passage of this bill?

Mr. LLOYD H. WOOD. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Montgomery, Mr. Brunner, vote on the final passage of this bill?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

The SPEAKER declared the ayes appeared to have it,

Whereupon, a division was called for, one hundred twelve Members having voted in the affirmative and none in the negative the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and the nays were taken.

Messrs. Lovett, Modell and Scanlon asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—112

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Fox,
Fullerton,
Garber,
Gardner,
Gates,
Kitchen,
Kowalski,
Krepps,
Krise,
Laughner,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Bretherick,
Brice,
Brunner, C. H.,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Rowley,
Royer,
Simons,
Sollenberger,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—45

Baker,
Barrett,
Boory,
Bradley,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Corrigan,
Dillon,
Duffy,
Elliott,
Green,
Haberlen,
Hamilton,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Polaski,
Powers,
Reese, R. E.,
Regan,
Reynolds,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Thompson,
Weiss,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MEMBER CONGRATULATED

The SPEAKER. Mr. Charles M. Thrasher, born April 14, 1870, is sixty-three years old today. He has taught the Bible Class for men in the M. E. Church at Star Junction, Fayette County for the past twenty-five years. Has two sons in the armed forces overseas. He started to work and has continued to work in the mines since he was twelve years of age.

The Chair recognizes the gentleman from Fayette, Mr. Thrasher.

Mr. THRASHER. Mr. Speaker, I appreciate this recognition a whole lot. When I started into this world I started out in the milk business—

The SPEAKER. The Chair would suggest that he thinks all of us did.

Mr. THRASHER. Mr. Speaker, I received all my meals from "Child's Restaurant," and if this rationing keeps up I am afraid I've got to go back to it again.

Mr. COHEN. What a man, Mr. Speaker.

Mr. ELY. Mr. Speaker, you have just heard why we are so proud to have Mr. Thrasher on the Dairy Industry Committee.

The SPEAKER. There is another milk man heard from.

TIME EXTENDED ON BILL

Mr. SORG. Mr. Speaker, I move that the time on House Bill No. 510, Printer's No. 153, entitled:

An Act to amend sections seven hundred thirty-one and seven hundred thirty-three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (Pamphlet Laws 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" authorizing the courts to issue writs of execution and attachment against the property money and wages of defendants in separation and non-support cases and the attachment of wages in desertion and non-support cases

on page 38 of today's calendar, bill on third reading postponed, be extended five days.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Till No. 575, as follows:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by adding an additional clause to Section 1202 LIII relating to exemptions from advertising

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That Section 1202 LIII of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding at the end of said clause LIII the following additional exception to advertising and bidding

(f) Those made during the war in which the United States is now engaged and for six months thereafter for new additions extensions and enlargements of existing facilities and equipment for water works electric light gas sewer and sewage disposal works whether governmental or proprietary in character including those made heretofore during said period

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. I desire to interrogate the gentleman from Montgomery, Mr. Brunner.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. CHARLES H. BRUNNER, Jr. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, will the gentleman give us a short explanation of the purposes of the bill?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, this bill is what might be termed a duration bill. It will excuse boroughs from the present laws requiring them to advertise for bids for certain types of work. The need for advertising at the present time, according to the information which I have received from the Association of State Boroughs, which incidentally approved this bill and asked me to sponsor it for them, is the fact that in a great many instances there is but one bid received. Frankly the bid wouldn't even come from a Pennsylvania concern but from a concern outside the state, there being no one in the state at times who can even bid on this kind of work.

In addition to that it is my understanding that the bids when they do come in have so many conditions attached to them, so many "ifs" that it almost becames an act of God if it eventually goes through. Furthermore, with the priority system the way it is and the War Production Board approval of bids on work and construction in excess of one thousand dollars, the Associations of Boroughs felt that this requisite should be waived for the duration of the war, and I believe, for six months thereafter. Accordingly I introduced the bill, and that is what it is designed to accomplish.

Mr. COHEN. Mr. Speaker, is there any other provision in the general borough law which puts any limitation on the amount of construction or value of construction on which bids are required?

Mr. CHARLES H. BRUNNER, Jr. Will the gentleman kindly repeat his question.

Mr. COHEN. Mr. Speaker, will the gentleman state whether there is any other provision in the borough law which requires bidding for general construction work over any particular amount?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I believe so, yes, there is a five hundred dollar provision.

Mr. COHEN. Mr. Speaker, would the general borough law requiring advertising for bids over five hundred dollars cover the items which are cut out of this bill on lines four and five on page two, and other public works and activity of the borough?

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, many of those would be exceptions to the present act requiring advertising.

Mr. COHEN. In other words, Mr. Speaker, the gentleman feels that other public works which were not specified, water, electric light and gas sewage disposal works and all other public works and activities would be subject to advertising for bids.

Mr. CHARLES H. BRUNNER, Jr. Exactly, Mr. Speaker.

Mr. COHEN. I thank the gentleman from Montgomery.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—115

Alspach,
Barrett,
Barton,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Brunner, P. A.,
Calvin,
Campbell.
Chervenak,
Cook,
Cooper,
Cordier,
Costa,
Dague,
Dalrymple,
Denman,
Dennison,
Dix,
Elder,
Ely,
Ewing,
Figlock,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moran,
Muir,
Murray,
Nowak,
O'Dare,
Powers,
Rose, W. E.,
Rowley,
Royer,
Schuster,
Simons.
Sollenberger,
Sorg,
Stockham,
Stonier,
Tate,
Taylor.
Thompson,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg.
Wachhaus,
Wallin,
Walton,
Watkins,
Weiss,
Winner,
Wood, L. H.,
Wood, N.,

Flack,
Fleming,
Foor,
Fullerton,
Jones,
Kennedy,
Kitchen,
Kowalski,
Reagan,
Reese, D. P.,
Riley,
Robertson,
Worley,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—31

Baker,
Bonawitz,
Boory,
Brown,
Cohen,
Dillon,
Duffy,
Elliott,
Fox,
Green,
Heatherington,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Longo,
Lovett,
Maxwell,
Modell,
Moser,
Munley,
O'Brien,
O'Connor,
Pettit,
Polaski,
Reese, R. E.,
Reynolds,
Scanlon,
Snider,
Welsh,
Wright,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Bucks, Mr. Stockham, to preside.

MR. STOCKHAM IN THE CHAIR.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 468, as follows:

An Act to further amend sections three hundred seven and five hundred one of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" imposing certain costs on the institution district

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred seven and five hundred one of the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" as last amended by the act approved the eleventh day of October one thousand nine hundred thirty-eight (P. L. 63) is hereby further amended to read as follows

Section 307 The guardian committee or any relative or friend of a person thought to be mentally ill may make application to the court of common pleas or other court of record of the county wherein such person resides or is or to any judge thereof for an order for the commitment of such persons to a hospital for mental diseases for observation diagnosis and treatment Such application shall be accompanied by the sworn certificate of two qualified physicians setting forth upon a form prescribed by the department that such person is in such a condition as to require observation in a hospital for mental diseases and giving the information called for by said form Thereupon or in his own discretion without such application the court or judge if satisfied that the condition of such person is such as to make his commitment desirable for his best interests shall commit him for such period and under such limitations as the court or judge may direct to the institution indicated in the application or to such other like institution as the court or judge may designate Provided That such court or judge at the time of commitment by order shall impose liability for the payment of the cost of care and maintenance of such patient on his estate or on the persons liable under existing laws for his support or on the Commonwealth

The superintendent or other person in charge of the institution to which the said person is committed shall before the expiration of the period of commitment of the patient make written report of said patient's mental condition to the court or judge making the commitment Thereupon the court or judge if satisfied that the patient is not mentally ill shall order his discharge and that the cost of his [transportation commitment] care and treatment be paid by the person so committed by the applicant for his commitment or by the Commonwealth and that the cost of his transportation and commitment be paid by the person committed by the applicant for his commitment or by the proper institution district in which such person is resident as the court or judge shall deem just and proper otherwise the court or judge shall make such order for the further disposition of the patient as may to him seem proper

Section 501 Whenever any patient who is mentally ill mentally defective epileptic or inebriate is admitted to any mental hospital whether by order of a court or judge or in any other manner authorized by the provisions of this act the cost of such admission or commitment shall be deemed to include the expenses of removing such patient to the hospital the fees of physicians or commissioners and all other necessary expenses however incurred Such costs shall be chargeable to the estate of such patient or to the person liable for his support Provided That if such estate or person is unable to pay the same the [Commonwealth] proper institution district in which such person is resident shall be liable for such costs

If the patient is committed by order of court the court or judge shall determine at the time of commitment the liability for such costs and shall assess the same as shall seem to him just and proper

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak
Cohen,
Coleman,
Cook
Cooper,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,

Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty
Flack,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No 153 as follows:

An Act authorizing the Department of Property and Supplies with the advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania, certain land upon which is located the site of Fort LeBoeuf in Waterford Borough, Erie County, or so much thereof, as may be necessary as a historical memorial providing for the control, management, supervision, improvement, restoration and maintenance thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof, authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Colonists and interested patriotic societies in providing funds for a restoration of Fort LeBoeuf and making an appropriation.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. WALTER E. ROSE. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 424, as follows:

An Act to amend section eighteen and one-tenth of the act approved the seventh day of June one thousand nine hundred and fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" extending the special file for the records of births of veterans of the World War to veterans of certain other wars

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eighteen and one-tenth of the act approved the seventh day of June one thousand nine hundred and fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases of practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" as added by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2719) is hereby further amended to read as follows

Section 18.1 The Department of Health shall inaugurate and maintain a special file for receiving and registering the records of birth of all veterans of [the World War] all wars and campaigns in which the United States has been engaged up to and including World War No. 1 Such records shall be received and filed upon presentation of documentary evidence in the form of affidavits baptismal or school records and proof satisfactory to the department that the person whose record is submitted is a veteran of [the World War] all wars and campaigns in which the United States has been engaged up to and including World War No. 1 If a record is accepted by the department certified copies of the same shall be issued without cost to each such veteran upon request

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,

Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 523, as follows:

An Act to amend subsection (c) of section twelve hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by excepting therefrom the transfer of stock assigned by a decedent before his death as collateral security for a loan and requiring the holder of such stock to report concerning the sale thereof to the Department of Revenue

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section twelve hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 1203 Procedure Applicable in Cases of Transfer of Corporate Stock Belonging to Decedents' Estates

* * * * * *

(c) No corporation of this Commonwealth or national banking association located in this Commonwealth shall transfer any stock of such corporation or of such banking association standing in the name of a decedent whether resident or nonresident or in the joint names of a decedent and one or more persons or in trust for such decedent unless the Department of Revenue has filed with such corporation or national banking association a certificate that the transfer inheritance tax imposed by law on the transfer of such stock has been fully paid or otherwise consents thereto in writing and it shall be lawful for the Department of Revenue either personally or by represenative to examine the shares of stock of such decedent at the time of such transfer and also the transfer books of said corporation or association showing such transfer The provisions of this section shall not apply to the transfer of stock assigned by a decedent before his death as collateral security for a loan provided that any lender so holding such stock shall upon selling it send a written report to the Department of Revenue stating the amount for which the stock was sold and the amount which was applied in reduction or payment of the loan Any corporation or national banking association may transfer such stock upon presentation to it of an affidavit of such lender or someone acting on his or its behalf that the stock was held as security at the time of decedent's death

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lyons,
Madigan,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,

Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook.
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I arise to a question of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. COHEN. Mr. Speaker, are we about to move into another legislative day?

The SPEAKER pro tempore. We are not. We are still on the same legislative day and will continue so until adjournment.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 583, as follows:

An Act to further amend section fourteen of article four and section one of article five of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating lamps to be carried by shot-firers and fire bosses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of article four of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" as amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby further amended to read as follows

Section 14 In such portions of a mine where explosive gas is being generated in quantities sufficient to be detected by an approved safety lamp and in which approved lamps are used the mine foreman shall employ a sufficient number of competent and legally qualified persons who are able to speak the English language to act as shot-firers whose duty shall be to charge tamp and fire all holes properly placed by the miners and to refuse to charge any holes not properly placed No holes shall be fired by any person other than a shot-firer They shall use none but incombustible material for tamping which the mine foreman shall see is provided for them at convenient places inside the mine Under no condition shall the shot-firer use coal dust or any other combustible material for tamping All such holes shall be fired by an approved electric apparatus and no person other than the shot-firer shall connect the wires of or operate said apparatus Each shot-firer shall keep a record of and report to the mine foreman every hole that he has refused to charge every blown-out shot and every hole that has misfired It shall be the duty of shot-firers and miners who are permitted by this act to fire their own shots to visit and examine the places where shots have been fired before leaving the mine to see that there is no fire or any other danger existing

In all mines in which coal is blasted from the solid all holes shall be fired when all the workmen are out of the mine except shot-firers and persons delegated by the mine foreman to safeguard property

No shot-firer or any other person shall fire a shot in any working place or at any point in any mine if his safety lamp indicates explosive gas and he shall not be in possession of any other lamp than an approved safety lamp except he may have in addition an approved electric lamp while performing the duties of a shot-firer This provision is not intended to prohibit blasting in entries going into the solid coal wherein explosive gas is escaping from the coal conditioned it is carried off rapidly rendered harmless and diluted below the point of detection on the flame of an approved safety lamp In gaseous mines in which approved safety lamps are used he shall fire no holes unless the entries and rooms which are dry and dusty are so thoroughly wetted as to prevent the existence of any dry dust for a distance of not less than eighty feet from the hole to be fired unless the dust is rendered inert to explosibility by rock dust

Section 2 Section one of article five of said act as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2486) is hereby further amended to read as follows

Section 1 In such portions of a mine wherein explosive gas has been generated within one year before the passage of this act or shall be generated after the passage of this act in sufficient quantities to be detected by an approved safety lamp the mine foreman shall employ a fire boss or fire bosses whose competency to act as such shall be evidenced by a certificate of qualifcation from the Department of Mines on the recommendation of the examining board as provided for in section six article twenty-four of this act It shall be the duty of the fire boss to examine carefully before each shift enters the mine every working place without exception all places adjacent to live workings every roadway and every unfenced road to abandoned workings and falls in the mine but before proceeding with the examination he shall see that the air current is traveling in its proper course In making the examination he shall use no light other than that enclosed in an approve safety lamp but he may carry in addition an approved electric lamp The examination shall begin within three hours prior to the appointed time for each shift to enter the mine The fire boss shall examine for dangers in all portions of the mine under his charge and after each examination he shall leave at the face and side of every place examined the date of the examination as evidence that he has performed his duty He shall also examine the entrance or entrances to all work-out and abandoned portions adjacent to the roadways and working places under his charge where explosive gas is likely to accumulate and he shall place a danger signal across each entrance to every working place and every other place where explosive gas is discovered or immediate danger is found to exist from any other cause and said signal shall be sufficient warning for persons not to enter The meaning of all danger signals shall be explained to the non-English speaking employes of the mine in their several languages by the mine foreman assistant mine foreman or fire boss through an interpreter

And said bill having been read at length the third time, time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurence.

LEGISLATIVE DAY

Mr. COHEN. Mr. Speaker, I now suggest that the clock of the House reads two minutes after twelve o'clock and today is April 15, 1943.

The SPEAKER pro tempore. Sessions of the House are not governed by calendar days.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 591, as follows:

An Act to amend section two of the act approved the eighth day of April one thousand nine hundred and thirty-seven (P. L. 256) entitled "An act relating to counties of the first class and the duties of the treasurers thereof in connection with the collection of certain taxes fees license taxes and license fees payable to the Commonwealth and making provision for the disposition of the compensation therefor heretofore received by such treasurers" by authorizing the county treasurers in counties of the first class to deduct from moneys collected by them for the Commonwealth the amount of premiums paid by them for the bonds which they are required to furnish to protect and safeguard the funds of the Commonwealth in their hands

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of act approved the eighth day of April one thousand nine hundred and thirty-seven (P. L. 256) entitled "An act relating to counties of the first class and the duties of the treasurers thereof in connection with the collection of certain taxes fees license taxes and license fees payable to the Commonwealth and making provision for the disposition of the compensation therefor heretofore received by such treasurers" is hereby amended to read as follows

Section 2 All fees and commissions heretofore retained by county treasurers in counties of the first class for their own use for services performed by them as agent of the Commonwealth in collecting the taxes fees license taxes and license fees set forth in section one hereof shall after the effective date of this act be paid into the treasuries of their respective counties at the times such tareasurers are required by law to make return of such taxes fees license taxes and license fees to the Department of Revenue of the Commonwealth Provided however That the county treasurers in counties of the first class are hereby authorized to deduct and retain for their own use from the moneys collected by them and payable to the Commonwealth the amount of premiums paid by them for the bonds which they are required to furnish to protect and safeguard the funds of the Commonwealth in their hands

Section 2 The provisions of this act shall become effective immediately upon final enactment

POINT OF ORDER

Mr. BRETHERICK. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. BRETHERICK. Mr. Speaker, I want to protest against the loud reading of the bill. The Members can hear it.

The SPEAKER pro tempore. The point of order may be well taken.

PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. COHEN. Mr. Speaker, House Bill 591, Printer's No. 342 was called up by the Chair and the Clerk was instructed to read the bill. During the reading of the bill the Chair entertained a motion from the floor. The question is whether or not the entertaining of that motion was in order.

The SPEAKER pro tempore. The Chair did not hear any motion from the floor. The Clerk will proceed with the reading of the bill.

Mr. COHEN. Mr. Speaker, for the purpose of the record I might state that the gentleman from Delaware, Mr. Bretherick, asked for the floor and was recognized under a point of order during the reading of the bill.

The SPEAKER pro tempore. There was no motion made. The gentleman from Delaware asked that the bill be read louder. The Clerk will read it a little louder.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agrreably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—194

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—3

Maxwell,
Moran,
Weiss,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 624, as follows:

An Act to further amend section two thousand six hundred twenty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violations thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the fixing of the compensation of the controller auditing the accounts of second and third class school districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand six hundred twenty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violations thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section one of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 679) is hereby further amended to read as follows

Section 2623 The compensation for auditors in school districts of the second class shall together with suitable allowances for qualified assistants and for other necessary expenses be fixed by the board of school directors of said districts on application from time to time made by the auditors with itemized statements of services assistants and other necessary expenses and in school districts of the third class the compensation for auditors shall be five dollars ($5.00) per day for each day necessarily spent by each auditor and the total expenses of such auditing including the cost of filing the report advertising and other necessary costs shall be paid by the school district The compensatin of any certified public accounts employed by any school district of the second class shall be fixed by the directors of such district and paid by the district In school districts of the second and third class where the accounts are audited by the controller of the municipality in which the whole or the greater or greatest portion of the area of each such district shall be located the compensation of the controller shall be fixed by the directors of such district and paid by said district

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Flack,
Fleming,
Flynn,
Foor,
Krise,
Lane,
Laughner,
Lee,
Reynolds,
Riley,
Robertson,
Root,

Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Consitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 679, as follows:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the term of the county assistant county district and assistant district superintendent

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 1104 Every [four] six years there shall be elected as herein provided in every county in this Commonwealth a person to be known as the county superintendent

Section 2 Section one thousand one hundred five of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-third day of May one thousand nine hundred twenty-three (P. L. 349) is hereby further amended to read as follows

Section 1105 The school directors of each county of this Commonwealth in which a county superintendent is to be elected shall meet in convention at the county seat of their county in the courthouse or some other suitable place to be furnished by the county commissioners at the expense of the county on the second Tuesday of April [one thousand nine hundred and eighteen (1918)] one thousand nine hundred and forty-six (1946) and on the same day of every [fourth] sixth year thereafter and by a majority vote of those present elect as herein provided one duly qualified person as county superintendent to serve for [four] six years from the first Monday of July next following [Provided That on the second Tuesday of April one thousand nine hundred and twenty-six (1926) county superintendents shall be elected as herein provided to serve from the first Monday of May one thousand nine hundred and twenty-six (1926) until the first Monday of July one thousand nine hundred and thirty (1930)]

Section 3 Section one thousand one hundred eight of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 1108 No votes for a candidate for county superintendent at any such convention shall be counted unless said candidate has before the vote is taken filed with the president thereof a county district or assistant county or district superintendent's commission which has been issued within the previous [four] six years by the Superintendent of Public Instruction or such other evidence of eligibility as is required by this act

Section 4 Section one thousand one hundred thirty-four of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 243) is hereby further amended to read as follows

Section 1134 The boards of school directors of each district of the second or third class electing a district superintendent shall meet in convention at its regular place of meeting on the second Tuesday of April [one thousand nine hundred and eighteen (1918)] one thousand nine hundred forty-six (1946) and every [four] six years thereafter at an hour previously fixed by said board and the secretary shall mail to each member thereof at least five days beforehand a notice of the time place and purpose of such convention Such convention shall in the same manner as a county superintendent is elected and certified elect and certify a properly qualified district superintendent to serve for [four] six years from the first Monday of July next following his election [Provided That on the second Tuesday of April one thousand nine hundred and twenty-six (1926) such district superintendents shall be elected as herein provided to serve from the first Monday of May one thousand nine hundred and twenty-six until the first Monday of July one thousand nine hundred and thirty (1930)]

The term of office or commission of a district superintendent or assistant district superintendent shall not be shortened by reason of the fact that the district in which he serves shall because of loss of population enter a class of districts for which there is no provision for a district superintendent or assistant district superintendent and such superintendent or assistant superintendent shall continue to serve such district for the term of his office or commission

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Ewing.

The SPEAKER pro tempore. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. EWING. I shall, Mr. Speaker.

Mr. LOVETT. May I ask the gentleman from Allegheny, Mr. Ewing, Mr. Speaker, if this is only for the duration of the war?

Mr. EWING. No, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman what the increase in the term of the superintendents of schools is?

Mr. EWING. A two year period, Mr. Speaker. It makes it six years instead of four years.

Mr. LOVETT. May I ask the gentleman why he asked for such an increase in length of time?

Mr. EWING. Mr. Speaker, the increase in time will give the superintendents and the assistant superintendents a longer tenure in office to carry on their work.

Mr. LOVETT. May I ask the gentleman why he does not increase it to four years instead of two years?

Mr. EWING. It is a compromise, Mr. Speaker.

Mr. LOVETT. I did not understand the gentleman.

Mr. EWING. A compromise, Mr. Speaker.

Mr. LOVETT. A compromise on what?

Mr. EWING. Making it six years instead of eight years.

Mr. LOVETT. Mr. Speaker, I did not get the eight in the first place. I wonder where he found the eight.

Mr. EWING. The gentleman wanted an increase of four years and my compromise makes it six instead of eight.

Mr. LOVETT. I didn't get where the gentleman got the eight.

I said why didn't he increase it four years instead of two.

Mr. EWING. It is my bill, Mr. Speaker.

Mr. LOVETT. Is there any good reason why the gentleman should not?

Mr. EWING. No, Mr. Speaker. If the gentleman wants his name on the bill, probably we can get a compromise on a couple more years.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if he would have any objection to amending this bill to make it twenty years.

Mr. EWING. Will the gentleman please state his amendment.

Mr. LOVETT. The amendment would increase the four year term to sixteen and twenty.

Mr. EWING. Mr. Speaker, the gentleman is talking about school directors, now is he not?

Mr. LOVETT. No, I am talking about superintendents.

Mr. EWING. Will the gentleman kindly repeat the question.

Mr. LOVETT. Mr. Speaker, does the gentleman have any real reason for the increase of two years?

Mr. EWING. As I said in the first place, Mr. Speaker, I made it very clear, the increase was to give the superintendents and assistant superintendents a longer tenure in office so that they can carry on their office for a longer period. The School directors are elected for a six year period.

Mr. LOVETT. What have the school directors to do with the superintendents?

Mr. EWING. They appoint them.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman if the school directors for his particular district are elected all at the same time?

Mr. EWING. No, Mr. Speaker.

Mr. LOVETT. Then I still do not know why the gentleman stopped at an increase of two years. If he thinks a longer period of time is a good thing why doesn't he make it eight years?

Mr. EWING. Mr. Speaker, I answered that a while ago. We will wait until the 1945 session for that.

Mr. LOVETT. That is all.

Mr. Speaker we are now moving along to increase the period of time of the superintendents of the schools. The gentleman upon interrogation says that possibly in 1944 or 1945 they may increase it two more years. The gentleman told me on the interrogation that it was for the purpose of allowing them to serve longer. You might just as well have an increase of eight years or an increase of four years as an increase of two years. There isn't any logic that I can find in the increase. The men who serve in the Legislature and only have a two year term, why they are interested in increasing the term of the superintendents of schools is beyond me. Therefore, I think this a very bad precedent that we are setting on this increase, and the time will come that these fellows will receive a tenure of office for life. I, therefore, ask the membership of this House to vote down this type of legislation.

Mr. STONIER. Mr. Speaker, I would like to interrogate the sponsor of this bill, the gentleman from Allegheny, Mr. Ewing.

The SPEAKER pro tempore. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. EWING. I shall, Mr. Speaker.

Mr. STONIER. Mr. Speaker, will the gentleman from Allegheny please tell me just what the intent of this bill is?

Mr. EWING. Mr. Speaker, I explained that to the gentleman from Westmoreland, Mr. Lovett, a few minutes ago.

Mr. STONIER. Mr. Speaker, I did not understand the gentleman very well so I thought I would ask the question again.

Mr. EWING. Mr. Speaker, I think the gentleman from Lackawanna knows all about this bill. It increases their terms two years.

Mr. STONIER. I ask this side of the House to vote this bill down.

Mr. EWING. I ask every member of this House to vote for this bill.

Mr. SOLLENBERGER. Mr. Speaker, I would like to make a few remarks to straighten out these seemingly muddled minds.

There are two or three good reasons for this bill. In answer to the gentleman from Westmoreland, Mr. Lovett, relative to the time, I do not believe it is necessary to lengthen the term one hundred percent to do good work, but the six years I think gives the superintendent or the assistant superintendent a real chance to carry through a program which is not necessarily true in a four year term. With our growing work in the school system, with both the curricular work and the extra-curricular work, they need more than four years to prove their worth in carrying out their program.

Secondly, there seems to be some reason for a longer term. The teachers have tenure,—got it in 1937. In 1939 we enlarged it by giving them rating cards. The superintendent of the county or the district superintendent must rate those beginner teachers for two years, and those teachers have influence, they also have relatives and they have possibly enough power to keep a superintendent from rating the teachers properly because of influence. If the superintendent has a six year term he can show to his constituents in the school system that he has been doing good work. In four years' time he cannot necessarily prove that he was right when it comes to rating the teachers.

I believe that for those two reasons a six year term for the county and district superintendent and their assistants is a wise move. It means efficiency, both in administration and supervision. I do hope that we pass this bill and I would like both sides to vote for it.

Mr. MAXWELL. Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. Sollenberger.

The SPEAKER pro tempore. Will the gentleman from Blair permit himself to be interrogated?

Mr. SOLLENBERGER. I shall, Mr. Speaker.

Mr. MAXWELL. Mr. Speaker, I would like to ask the gentleman why he thinks a superintendent cannot fulfill his duties in four years.

Mr. SOLLENBERGER. Mr. Speaker, I did not say that, neither did I infer that he could not fulfill his duties. I said he could not do as efficient work in four years in carrying out his program as he will be able to do in six years.

Mr. MAXWELL. Mr. Speaker, along that same line then may I ask the gentleman if he is doing a good job in the Legislature when his term is only two years?

Mr. SOLLENBERGER. Mr. Speaker, that is up to my constituents to show me whether I am when election time comes around.

Mr. MAXWELL. Mr. Speaker, may I ask the gentleman if public opinion should also have a voice in deciding how long a superintendent should be in office?

Mr. SOLLENBERGER. Mr. Speaker, in answer to the gentleman I might say that there is much truth in his statement, but that is also true of the teachers, and I am a teacher, and they have tenure. I have tenure, life time tenure, if I do not violate the rules laid down by the rating card that I spoke of, made up in 1939.

Mr. MAXWELL. That is all.

Mr. Speaker, I see no reason whatever for the passage of a bill of this type. The school directors are elected for a six year term, I grant you that, but the school directors' election and the terms are staggered; they are not all elected at the same time. Therefore if you elect a superintendent for six years that will practically mean indefinite tenure for that superintendent, for the simple reason that the school directors are going into office in different years and will not be sufficiently acquainted with their superintendents to know whether he is doing a good job or not. Therefore I would say it would be impossible for them conscientiously to decide whether they would continue this term for another six years or not. Also I think that as school directors are the representatives of the people in their particular districts, I think public opinion should through their representatives, the school directors have something to say on how long a superintendent should continue in office.

Mr. WALTER E. ROSE. I would ask the gentleman to yield for the purpose of allowing me to make a motion to place this bill on the final passage postponed calendar.

Mr. MAXWELL. Mr. Speaker, I would not like to yield the floor.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. MAXWELL. Mr. Speaker, I think the bill should be voted on this evening. That is why I do not like to yield. But continuing, Mr. Speaker, the people in the various districts elect school directors to represent them. Why should we as legislators tie the hands of the school directors, tie public opinion in the various districts by increasing the term of office of superintendents? I have heard a lot about home rule from the other side of this House; I heard about home rule from this side of the House, so therefore this is something that should be left up to the men that are elected back home, to handle this situation.

I have heard time and time again on this floor, both sides of this House seem to be in favor of home rule, and I would, therefore, ask the Members on both sides of the House to vote this bill down.

On the question recurring.

Shall the bill pass finally?

BILL POSTPONED

Mr. WALTER E. ROSE. Mr. Speaker, I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore declared the ayes appear to have it,

Whereupon, a division was called for, eighty-six Members having voted in the affirmative and twenty-three in the negative, the question was determined in the affirmative and the motion was agreed to.

BILL PASSED OVER

There being no objection House Bill No. 720, Printer's No. 347 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 752, as follows:

An Act to further amend section four hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" by increasing the sum which institution districts may provide for certain burials

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred three of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors an proviing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" as amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 308) is hereby further amended to read as follows

Section 403 Provision for Burial of Dependents and Other Persons Except as otherwise provided by law the local authorities of any institution district shall provide for the burial of any person who dies in the county or city unless his body is claimed by a relative by blood or marriage or by a friend or by his fraternal or veterans' organization or by a charitable organization or by the Anatomical Board of the State of Pennsylvania and is buried at the expense of such relative friend or organization No such burial shall cost more than [seventy-five] one hundred dollars

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook.
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor.
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

McKinney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 767, as follows:

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to registration plates and the issuance thereof by the department

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

Section 501 Registration Plates to be Furnished by Department

(a) The department shall furnish to every owner whose motor vehicle is registered and for each registration applied for by a manufacturer jobber or dealer in motor vehicles trailers or semi-trailers two registration plates and to every owner of a registered trailer semi-trailer motorcycle or bicycle with motor attached and for each registration applied for by a manufacturer jobber or dealer in motorcycles or bicycles with motor attached one registration plate

(b) [Every] Such registration plates may be made of metal or other material and each plate shall have displayed upon it the registration number assigned to the vehicle for the current year the name of the Commonwealth which may be abbreviated [the year number for which it is issued] and any other identification the department may deem necessary The required letters and numerals on such plate or plates shall be not more than five (5) inches in height to be plainly legible from a distance of one hundred (100) feet during daylight except that the required letters and figures on motorcycle motorcycle dealer and bicycle with motor attached plates shall be not more than three and one-half (3½) inches in height

(c) It shall be unlawful to display on any vehicle an altered defaced or forged registration plate

(d) In each case of a renewal of any such registration which shall be in effect for the registration year immediately preceding such renewal the department in lieu of issuing new registration plates for such vehicle may assign thereto the number or combination of numerals and letters displayed on the plates for the previous year and issue to the owner thereof and authorize the use of some identifying feature or attachment to be affixed to the previous year's plates or a sticker or certificate not to be affixed to such plates which shall in either case clearly indicate the renewal of such registration

Penalty Any person violating any of the provisions of subsection (c) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty ($50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 2 All cast and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Finnerty,
Figlock,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 771, as follows:

An Act to amend section three hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justice of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to registration plates and the issuance thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

Section 301 Registration Plates to be Furnished by Department

(a) The department shall furnish to every owner whose tractor or trailer has been registered and for each registration issued to a dealer one (1) registration plate

(b) [Every] Such registration plates may be made of metal or other material and each plate shall have displayed upon it the registration number assigned to the vehicle for the current year and to the owner thereof also the name of the Commonwealth which may be abbreviated [and the year number for which it is issued] and any other identification the department may deem necessary The required letters and numerals on such plates shall not be more than five (5) inches in height

(c) The registration plate shall be kept reasonably clean and shall not be defaced in any manner and shall be displayed conspicuously on the front or rear of the tractor and on the rear of the trailer in such a way that they maye be easily read

(d) In each case of a renewal of any such registration which shall be in effect for the registration year immediately preceding such renewal the department in lieu of issuing a new registration plate for such vehicle may assign thereto the number or combination of numerals and letters displayed on the plate for the previous year and issue to the owner thereof and authorize the use of some identifying feature or attachment to be affixed to the previous year's plate or a sticker or certificate not to be affixed to such plate which shall in either case clearly indicate the renewal of such registration

Penalty Any person violating any of the provisions of subsection (c) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cock,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 780, as follows:

An Act to amend the definition of "Trailer" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner shall be exempt from registration fees

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Trailer" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" is hereby amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

"Trailer" Every vehicle wagon or truck drawn by a tractor for hauling material or freight of any kind excepting water and fuel tanks road-graders stone-crushers sawmills concrete mixers and agricultural equipment not self-propelled Provided however That a wagon or truck drawn by a tractor for the transportation of the agricultural products of the owner of such wagon or truck or returning from such transportation shall not be included within such definition and no fee shall be required to operate such vehicle on the public highways

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Costa,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
Maxwell,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 798, as follows:

An Act to further amend subsection (b) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by changing the provisions of said act relating to the further revocation and suspension of operating privileges of persons who operate motor vehicles while their operators' licenses or learners' permits are revoked or suspended

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (b) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 614 Revocation of Operating Privilege

* * * *

(b) The secretary upon receiving a certified record from the clerk of the court of [the conviction of any person upon a charge] proceedings in which a person pleaded guilty entered a plea of non vult nolo contendere or was found guilty by a judge or jury of a charge of operating a motor vehicle while the operator's license or learner's permit of such person is suspended or revoked shall immediately extend the period of such first suspension or revocation for an additional like period

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—1

Moran,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 805, as follows:

An Act providing for the appointment of a clerk to the jury commissioners in counties of the third class by the court of common pleas the fixing of his salary by the salary board and the payment thereof by the county

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The court of common pleas of each county of the third class shall appoint a clerk to the jury commissioners of the county to serve at the pleasure of the court His salary shall be fixed by the salary board of the county and shall be paid by the county

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Alspach,
Baker,
Barrett,
Barton,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Hall,
Hamilton,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Simons,
Smith,
Snider,

Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Denman,
Moser.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 989, as follows:

An Act to amend clause three of section thirteen of article nineteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" by providing that persons certified by the Civil Service Commission as eligible for appointment or promotion to various positions who are prevented from accepting such appointment or promotion because of their entrance into the armed forces of the United States Government during time of war shall be retained on a preferred eligible list for such appointments or promotions until two years after the termination of hostilities in such war

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause three of section thirteen of article nineteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" is hereby amended to read as follows

Section 13 The commission shall adopt amend and enforce rules for the classified service which shall have the force and effect of law The rules shall provide

* * * * *

3 For the creation of eligible lists upon which shall be entered the names of successful candidates in the order of their standing in examination Such lists shall remain in force not longer than two years Provided however That if any person whose name appears upon such lists as eligible for appointment or promotion to any position in the classified service shall be prevented from accepting such appointment or promotion by reason of his or her impending service or service in the armed forces of the Government of the United States during any war in which the United States is engaged the names of such persons shall be placed upon and retained upon a list of those who were eligible for appointment or promotion to the positions or offices for which they have qualified by examination until two years after the termination of hostilities in the war in which the United States is engaged and if honorably discharged from such armed forces and physically fit to perform the duties of the respective positions or offices they shall be eligible for and be given preference for appointment or promotion to the position for which they did so qualify over any other persons qualifying in subsequent examinations

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1082, as follows:

An Act authorizing the Governor of the Commonwealth of Pennsylvania for a limited period of time to suspend or modify laws either in whole or in part under certain circumstances during the existence of the present war

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Whereas it is the desire of the General Assembly of the Commonwealth to assist and support to the fullest extent the President of the United States in discharging his duties as Commander-in-Chief of the Army and Navy and of the militia of the several states and

Whereas it is hereby declared that it is the policy of the General Assembly of the Commonwealth of Pennsylvania that no act of the General Assembly of this Commonwealth should hinder impede delay or interfere with the conduct of the war effort and that provision be made for the temporary suspension or modification of the enforcement of such acts when the General Assembly of this Commonwealth is not in session and

Whereas Article I Section 12 of the Constitution of the Commonwealth of Pennsylvania provides that no power of suspending laws shall be exercised unless by the Legislature or by its authority

Section 1 Upon the request of the President of the United States the Secretary of War the Secretary of the Navy or the Attorney General of the United States when accompanied by a statement of the Attorney General of the United States that an act of the General Assembly or any part thereof will conflict with the enforcement of a particular Federal statute or lawful regulation relating to the prosecution of the war or will hinder impede delay or interfere with the conduct of the war effort the Governor with the advice of the Attorney General of this Commonwealth may at any time when the General Assembly is not in session promulgate orders suspending or modifying the enforcement of such act of the General Assembly in whole or in part generally or in its application to particular areas classes of persons corporations or circumstances upon such terms and conditions as may be necessary to impose and he may from time to time amend revoke or rescind any such order

Section 2 The power conferred by this act shall not be exercised unless and until the Governor shall find and proclaim after such study investigation or hearing as he may make direct on conduct that the enforcement of the act of the General Assembly or any part thereof described in the request required by section one of this act will conflict with the enforcement of a particular Federal statute or lawful regulation relating to the prosecution of the war or will hinder impede delay or interfere with the conduct of the war effort

Section 3 Any order promulgated by the Governor pursuant to the provisions of this act shall be effective for the period of time specified therein or if no period is specified for the period during which this act remains in force unless the order is sooner rescinded or revoked by order of the Governor or by action of the General Assembly

Section 4 The Governor shall report to the General Assembly at its next session within one week after it convenes the proceedings taken by him pursuant to the authority conferred by this act and shall transmit at the same time to the General Assembly copies of all orders so promulgated by him

Section 5 This act shall become effective the day following the adjournment of the present session of the General Assembly and shall remain in force and effect until sixty days after the first Tuesday in January one thousand nine hundred and forty-five

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, House Bill 1082 was introduced by the gentleman from Lehigh, Mr. Lichtenwalter and the gentleman from Allegheny, Mr. Brown.

I should like to give a short history of the bill to emphasize and to point out that this is the first bill that this House has acted upon that resulted from an invitation by the Governor to the minority to come in and sit down and discuss and agree upon a war measure. We all know that in the special session of 1942 the Governor of the state at that time, Arthur James, made a demand for extraordinary powers to be given to him in war time. He requested, in fact he insisted upon a bill to give him the right to suspend, alter, modify, in fact to create new laws as he saw fit for war time purposes. We all know very well and the public knows that such powers should not be given to their Chief Executive, and as a result of the protest against such powers to be given to Arthur James, the bill embodying the powers which he desired never passed either the House or the Senate. This year, however, Governor Martin, agreeable to his original request that there be cooperation in war time measures, invited us in to discuss this bill and another bill, and as a result of the conference held with him by both the minority and the majority, and as a result of the conference with the Attorney General, one bill that was suggested was done away with. This bill represents, then, the desires of both the majority and the minority to assist in the war effort. It was brought about by a cordial invitation of the Governor to sit down and discuss a war program, and by the speedy acquiescence after discussion by the minority, to give the Governor this war time power which we were so fearful of in the 1942 special session. We think this bill will give the Governor the needed powers and we think these powers are proper at this time.

Mr. Speaker, I want to emphasize again that if and when, as has been shown by this bill, the Governor of the Commonwealth wants cooperation in putting across a war time program, we are here ready to go along.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Harris,
Haudenshield,
Heatherington,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,

Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Modell,
Mooney,
Moore,
Moser,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—3

Hare,
Moran,
Muir,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 293, as follows:

An Act authorizing for a temporary period of time the employment of minors as pin boys in bowling alleys and suspending existing laws which prohibit such employment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 During the continuance of the war in which the United States is now engaged and for a period of six months thereafter minors over the age of fourteen years may be employed as pin boys in any bowling alley in this Commonwealth notwithstanding the provisions of any existing law and the rules and regulations of any board or agency of the Commonwealth contrary thereto

Section 2 The provisions of subsection twenty of section six hundred two of the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) entitled the "Pennsylvania Liquor Control Act" and of subsection twenty-nine of section twenty-three of the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) entitled the "Beverage License Law" and of section five of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" and of all other acts and parts of acts are hereby suspended in so far as they are inconsistent with the provisions of this act

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—173

Alspach,
Auker,
Baker,
Barton,
Bentley,
Bentzel,
Boies,
Boorse,
Boory,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hannon,
Hare,
Harris,
Haudenshield,
Helm,
Herman,
Hocke,
Hoggard,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Irvin,
James,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Mooney,
Moore,
Moser,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Smith,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Wright,
Yeakel,
Fiss,
Speaker.

NAYS—24

Barrett,
Bonawitz,
Bower,
Denman,
Elliott,
Foor,
Fox,
Goodling,
Hamilton,
Heatherington,
Hewitt,
Hoffman,
Hunter, B. F.,
Imbrie,
Jones,
Longo,
McClester,
Modell,
Moran,
Muir,
Simons,
Skale,
Snider,
Sollenberger,
Worley,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and conderation of House Bill No. 317, as follows:

An Act to further amend section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" by further extending the exemptions from the tax imposed by the said act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the fourth day of June one thousand nine hundred and fifteen (P. L. 828) entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock and upon deliveries or transfers of shares or certificate of stock in domestic and foreign corporations copartnership associations and joint-stock associations providing the manner of collecting such tax and prescribing penalties" as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 403) is hereby further amended to read as follows

Section 2 This act does not impose a tax upon an agreement evidencing the deposit of stock certificates as collateral security for money loaned thereon if such stock certificates are not actually sold nor upon such stock certificates so deposited nor upon mere loans of stock or the return thereof nor shall the provisions of this act apply to transfers of certificates otherwise taxable from a trustee or trustees to a trustee or trustees substituted by court order or in accordance with the terms of the trust agreement or to a surviving trustee or trustees provided in either case the same continue to be held by such transferee or transferees for the same purposes for which they were held prior to such transfer nor to deliveries or transfers (1) from a fiduciary to a nominee of such fiduciary or (2) from one such nominee of such fiduciary to another such nominee if such certificates continue to be held by such nominee for the same purposes for which they would be held if retained by such fiduciary or from such nominee to such fiduciary nor to such transfers from a deceased person to his or her executor or administrator nor from a ward to his or her guardian nor from a guardian to the ward where such transfer is made pursuant to the relationship of executor or administrator or guardian and ward nor to deliveries or transfers to a broker or his registered nominee for sale nor to deliveries or transfers by a broker or his registered nominee to a customer for whom and upon whose order the broker has purchased same nor to deliveries or transfers by a purchasing broker to his registered nominee if the shares or certificates so delivered or transferred are to be held by such nominee for the same purpose as if held by the broker but such deliveries or transfers to or from a broker or his registered nominee shall be accompanied by a certificate setting forth the facts nor upon transfers of certificates (1) from the owner thereof to a custodian if under a written agreement between the parties the certificates are to be held or disposed of by such custodian for and subject at all times to the instructions of the owner or from such custodian to such owner or (2) from such custodian to a nominee of such custodian or from one such nominee to another such nominee if in either case the certificates continue to be held by such nominee for the same purpose for which they would be held if retained by such custodian or from such nominee to such custodian

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix.
Duffy,
Elder,
Elliott,
Ely,
Erb.
Ewing.
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 451, as follows:

An Act to add section seven and one-tenth to the act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 400) entitled "An act to protect the debtors obligors or guarantors of debts for which judgments are entered or may be entered and owners of real property affected thereby and others indirectly liable for the payment thereof by prescribing the method of fixing the fair market value of such property sold on execution and limiting the amount collectible thereafter on such judgments" providing for the entry of release and discharge of said judgments under certain circumstances

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the sixteenth day of July one thousand nine hundred forty-one (P. L. 400) entitled "An act to protect the debtors obligors or guarantors of debts for which judgments are entered or may be entered and owners of real property affected thereby and others indirectly liable for the payment thereof by prescribing the method of fixing the fair market value of such property sold on execution and limiting the amount collectible thereafter on such judgments" is hereby amended by adding after section seven thereof a new section to read as follows

Section 7.1 If the plaintiff or plaintiffs shall fail to present such petition to fix the fair market value of the real property sold within six months after the sale of such real property as provided by this act the debtor obligor guarantor or any other person liable directly or indirectly to the plaintiff or plaintiffs for the payment of the debt or any person or persons interested in any real estate which would except for the provisions of this act be bound by said judgment may present his or their petition to the Court having jurisdiction setting forth the fact of said sale and that no petition has been filed within six months after said sale to fix the fair market value of the property sold whereupon the Court upon proof of service of at least ten days notice of said petition on the plaintiff or plaintiffs or their attorney in said action and being satisfied of such facts shall direct the Prothonotary to mark said judgment satisfied released and discharged

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 678, as follows:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the law imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund clarifying certain provisions relating to extensions of time for filing tax reports or returns eliminating the provisions imposing interest on tax and bonus at any greater rate than six per centum per annum changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time providing for the automatic adjustment of interest liability so as to correspond to certain changes in tax or bonus liability and further regulating the procedure for filing petitions for resettlement petitions for review appeals to court and the security accompanying such appeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (a) of section five hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriation from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof of every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the fifth day of August one thousand nine hundred and forty-one (P. L. 797) is hereby further amended to read as follows

Section 503 Refunds of State Taxes License Fees Et Cetera The Board of Finance and Revenue shall have the power and its duty shall be

(a) To hear and determine any petition for the refund of taxes license fees penalties fines bonus or other moneys paid to the Commonwealth and to which the Commonwealth is not rightfully or equitably entitled and upon the allowance of any such petition to refund such taxes license fees penalties fines bonus or other moneys out of any appropriation or appropriations made for the purpose or to credit the account of the person association corporation body politic or public officer entitled to the refund The jurisdiction of the Board of Finance and Revenue to hear and determine a petition for refund as aforesaid shall not be affected or limited by the fact that proceedings under Sections 1102 1103 or 1104 of this act involving the same tax or bonus and period for which a refund is sought are pending or have been closed provided such proceedings relate to other objections than those raised in the petition for refund All such petitions must be filed with the board within two years of the payment of which refund is requested or within two years of the settlement in the case of taxes or bonus whichever period last expires except

(1) Where a petition for refund filed by a domestic or foreign corporation involves the valuation of its capital stock or in case of a foreign corporation the valuation of its tangible property for bonus purposes or where a petition for refund filed by a bank title insurance or trust company involves the valuation of its shares of stock such petition must be filed with the board within one year of the payment of which refund is requested or within one year of the settlement of such taxes or bonus whichever period last expires

(2) When the estate upon which any transfer inheritance tax has been paid shall have consisted in whole or in part of a partnership or other interest of uncertain value or shall have been involved in litigation by reason whereof there shall have been an overvaluation of that portion of the estate on which the tax has been assessed and paid which overvaluation could not have been ascertained within said period of two years In such case the application for repayment shall be made to the Board of Finance and Revenue within one year from the termination of such litigation or ascertainment of such overvaluation

(3) When a court of record has adjudged a person to be legally dead and thereafter in the settlement of his or her estate a transfer inheritance tax shall have been paid on such estate and after such payment has been made such person shall reappear and the court shall rescind its order and adjudication In such case the petition to the board shall be filed within six months after the court shall have rescinded its order and adjudication

(4) When any tax or other money has been paid to the Commonwealth under a provision of an act of Assembly subsequently held by [the] final judgment of a court of [final] competent jurisdiction to be unconstitutional or under an interpretation of such provision subsequently held by such court to be erroneous In such case the petition to the board shall be filed within five years of the payment of which a refund is requested But the limitation of five years herein prescribed shall not be deemed to apply in the case of applications for refunds of taxes paid on liquid fuels by political subdivisions prior to the effective date of this amendment where by court decision it has been held that the collection of such tax was erroneous and without authority of law if application for such refunds shall be made within two years after the effective date of this amendment The aforesaid limitation of five years shall likewise not be deemed to apply in the case of applications for refunds of taxes paid on certain alcohol usable for beverage purposes under the provisions of the act approved the twenty-second day of November one thousand nine hundred and thirty-three (P. L. 5 (1933-34)) entitled "An act imposing a State floor tax on alcohol usable for beverages purposes and certain alcoholic liquors in the Commonwealth between the date this act becomes effective and the date the Twenty-first Amendment to the Constitution of the United States is ratified describing the method and manner of collection of such tax conferring powers and imposing duties on certain State officers and departments and certain individuals firms and corporations and imposing penalties" where by court decision it has been held that the imposition or collection of such tax was erroneous and without authority of uaw if application for such refunds shall be made within two years after the effective date of this amendment

Section 2 Sections seven hundred four and eight hundred six of said act as last amended by the act approved the second day of February one thousand nine hundred thirty-seven (P. L. 3) are hereby further amended to read as follows

Section 704 Extensions of Time The Department of Revenue may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any tax report tax return or bonus return grant to the person association or corporation required to file such report or return an extension of not more than sixty days within which such report or return may be filed without penalty The department may also in its discretion extend generally for a period not exceeding fifteen days the time within which reports or return may be filed for any tax The provisions of this section shall not be construed to affect the provisions of any other act authorizing the department to grant extensions of time for filing corporate net income tax reports

Section 806 Interest on Taxes and Bonus Due the Commonwealth All tax and bonus due the Commonwealth as provided by law shall bear interest at the rate of six per centum per annum from the date they are due and payable until [sixty (60) days after settlement and thereafter at the rate of twelve (12) per centum per annum until paid except that any taxes or bonus due as a result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six (6) per centum per annum from the date such tax is due and payable until] paid Provided That in the case of all taxes and bonus which other provisions of this act require taxpayers to compute and pay at the time of filing the report or return if a settlement is not made within two years after the date upon which the report or return was filed no interest whatsoever shall be imposed for the period between the end of such two years and the date of the approval of the settlement unless the taxpayer has filed a written waiver permitting interest to run after the end of said two years The payment of interest as aforesaid shall not relieve any person association or corporation from any of the penalties or commissions prescribed by law for neglect or refusal to furnish reports to the Department of Revenue or to pay any claim due to the Commonwealth from such person association or corporation

Whenever the tax or bonus liability of a taxpayer is so affected by any settlement or resettlement as to change the interest liability which has been settled against such taxpayer such interest liability shall be adjusted by the Department of Revenue and the Department of the Auditor General so as to correspond to the tax or bonus liability as changed without the necessity for the filing of any petition or request by the taxpayer or by said departments

Section 3 Section one thousand one hundred two of said act is hereby amended to read as follows

Section 1102 Petition for Resettlement Within ninety (90) days after the date upon which the copy of any settlement was mailed to the party with whom or with which the settlement was made such party may file with the department which made it a petition for resettlement

Every petition for resettlement shall fully state the reasons which the petitioner believes entitle him or it to such resettlement

It shall be the duty of the department with which the petition was filed within six (6) months after the date of any settlement to dispose of any petition for resettlement

In the case of petitions for resettlemnet filed with the Department of Revenue the disposition of the petition shall be subject to the approval of the department of the Auditor General as in the case of original settlements and if the two departments shall be unable to agree the case shall be submitted to the Board of Finance and Revenue by the Department of Revenue The Board of Finance and Revenue shall decide every such case within three (3) months from the date of the submission thereof and in case of its failure to reach a decision within such period the disposition of the Department of Revenue shall automatically become valid and the Board of Finance and Revenue shall immediately return to the Department of Revenue all of the papers appertaining to the case

In the case of petitions for resettlement filed with the Department of the Auditor General the petition shall be disposed of by the joint action of that department and of the Treasury Department as in the case of original settlements

Notice of the action taken upon any petition for a resettlement shall be given to the petitioner promptly after the date of resettlement by the department with which the petition was filed

Section 4 Section one thousand one hundred three of said act as amended by the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 261) is hereby further amended to read as follows

Section 1103 Petition to Board of Finance and Revenue for Review Within sixty days after the date of mailing of notice by the Department of Revenue or of the Auditor General of the action taken on any petition for a resettlement filed with it the party with whom the settlement was made may by petition request the Board of Finance and Revenue to review such action

Every petition for review filed hereunder shall state specifically the reasons upon which the petitioner relies The petition shall be supported by affidavit that it is not made for the purpose of delay and that the facts therein set forth are true If the petitioner be a corporation joint-stock associatoin or limited partnership the affidavit must be made by one of the principal officers thereof

The Board of Finance and Revenue shall dispose of such petitions filed with it within ninety (90) days after they have been received and in the event of the failure of the Board of Finance and Revenue to dispose of any such petition within ninety (90) days the action taken upon the petition for resettlement shall be deemed sustained

The Board of Finance and Revenue may sustain the action taken on the petition for resettlement or it may resettle the account upon such basis as it shall deem according to law and equity

Notice of the action of the Board of Finance and Revenue shall be given by mail or otherwise to all departments involved and to the petitioner

Section 5 Section one thousand one hundred four of said act is hereby amended to read as follows

Section 1104 Appeal to Court Any person association corporation public officer or other debtor aggrieved by the decision of the Board of Finance and Revenue or by the board's failure to act upon his or its petition for review within ninety (90) days may within sixty (60) days appeal to the court of common pleas of Dauphin County from the decision of the Board of Finance and Revenue or from the decision of the Department of Revenue or of the Department of the Auditor General as the case may be The said sixty (60) day period shall begin to run (a) From the end of the ninety (90) day period where the board fails to ait or (b) from the date of mailing of notice of the refusal of the petition for review or (c) from the date of mailing by the Department of Revenue of the certification of a resettlement where the board has made a resettlement Such appeal shall be in such form as shall be prescribed by the rules of the court of common pleas of Dauphin County All such appeals shall be lodged with the [Department of Justice which department shall transmit them to the clerk of the court of common pleas of Dauphin County and notify the appellant of the date of filing and the term and number of the appeal] prothonotary of the court of common pleas of Dauphin County and a conformed copy thereof indicating the date on which it was filed shall be forwarded immediately to the Department of Justice

Every such appeal shall be accompanied with a specification of objections to the settlement resettlement or other decision as the case may be and the party appealing shall enter sufficient security before one of the judges of the court of common pleas of Dauphin County within [ten(10)] sixty (60) days next after the filing of the appeal with the clerk to prosecute the appeal with effect to pay all costs and charges which the court shall award and any sum of money which shall appear by the judgment of the court to be due by such party to the Commonwealth

The party appealing shall file with every such appeal an affidavit containing the specification of objections and stating that the appeal is not taken for delay but because appellant believes injustice has been done by the settlement or resettlement or other decision appealed from and that the facts set forth therein are true to the best of affiant's knowledge and belief If a corporation limited partnership or joint-stock association is the party appellant such affidavit shall be taken by one of its chief officers

Appeals taken hereunder shall be hearings de novo but no facts shall be admitted in evidence that were not brought to the attention of the department making the settlement or in the application for resettlement or petition for review prior to the appeal and set forth in the specification of objections contained in the affidavit accompanying the appeal unless the court shall be satisfied that the appellant was unable by the exercise of reasonable diligence to have laid such evidence before the department making the settlement and the Board of Finance and Revenue and no questions shall be raised which are not included in the specification of objections filed as hereinbefore provided

From the judgment of the court of common pleas of Dauphin County an appeal may be taken by either party as in other cases

Section 6 The amendments hereinbefore made to section eight hundred six reducing the rate of interest on unpaid tax and bonus and changing and restricting the right of the Commonwealth to impose interest on certain unpaid tax and bonus when such tax and bonus are not settled within a prescribed period of time shall apply only to tax and bonus under reports filed for the calendar year one thousand nine hundred forty-two or for fiscal years or periods beginning in the calendar year one thousand nine hundred forty-two and for calendar and fiscal years or periods thereafter

All other provisions of this act shall become effective upon the first day of July one thousand nine hundred forty-three

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BAKER. Mr. Speaker, I would like to have the sponsor explain this bill.

The SPEAKER pro tempore. Will the gentleman from Montgomery, Mr. Winner, permit himself to be interrogated?

Mr. WINNER. I shall, Mr. Speaker. In answer to the gentleman, this bill has to do with the fiscal code. I studied it quite a bit and so has Mr. Reese, from Dauphin County, and he will answer the gentleman's question.

Mr. BAKER. I will withdraw my request, Mr. Speaker. I realize that Mr. Reese is very tired and hungry, so we will go on with the rest of the calendar then.

Mr. MORAN. Mr. Speaker, this bill is not on my file.

PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. COHEN. Mr. Speaker, is it not necessary that each Member have the bill on file?

The SPEAKER pro tempore. The Constitution provides that it shall be printed for the use of the Members. It is not necessary to be on file.

POINT OF ORDER

Mr. COHEN. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman from Philadelphia will state his point of order.

Mr. COHEN. Mr. Speaker, the gentleman from Allegheny, Mr. Moran, stated that this bill is not on his desk. Am I to understand the ruling of the Chair to be that the bill may be acted upon and the vote taken when the bill is not on file on the desk of each member? If the gentleman tells me that he has the bill on file, that is another story, but I want an answer, Mr. Speaker, to the other question, if the bill is not on a Member's desk whether or not we can proceed with a vote on the bill.

The SPEAKER pro tempore. The Chair wants to make it clear that we will not vote on the bill unless each Member has it on his desk.

Mr. MORAN. Mr. Speaker, I now have the bill on my desk.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg
Verona,
Wachhaus,
Wagner, P. L.
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 797, as follows:

An Act to amend section two of article five of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providing that certain low pressure boilers used for heating purposes only shall be exempt from the requirements of said section which prohibits the installation of boilers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of article five of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" is hereby amended to read as follows

Section 2 It shall not be lawful to place any boiler or boilers for the purpose of generating steam under nor nearer than one hundred (100) feet to any coal breaker or other structure in which persons are employed in the preparation of coal Provided That this section shall not apply to boilers or breakers already erected And provided further That nothing in this act contained shall be construed to apply to boilers carrying a pressure of not more than fifteen pounds per square inch which are used for heating purposes and which are equipped with safety devices approved by the Department of Mines and Mining

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—7

Bower,
Lyons,
McKinney,
Muir,
Royer,
Taylor,
Trout,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 360, as follows:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making wartime emergency provisions for substitute teachers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be admministered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the twentieth day of June one thousand nine hundred thirty-nine (P. L. 482) are hereby further amended to read as follows

Section 1201 The board of school directors in every school district in this Commonwealth shall employ the necessary qualified professional employes substitutes and temporary professional employes to keep the public schools open in their respective districts in compliance with the provisions of this act Whenever the secretary of any board of school directors with the approval of the proper district or county superintendent presents to the Superintendent of Public Instruction satisfactory evidence that it is impossible for the board during the present wartime emergency to obtain a suitable qualified teacher for a regular vacancy the board may for a period not longer than one year beyond the cessation of wartime hostilities employ a substitute to fill a bona fide vacancy until an acceptable qualified teacher can be obtained

The term "professional employe" as used in this act shall include teachers supervisors supervising principals principals directors of vocational education dental hygienists visiting teachers school secretaries the selection of whom is on the basis of merit as determined by eligibility lists school nurses who are certified as teachers and any regular full-time emlpoye of a school district who is duly certified as a teacher

The term "substitute" shall mean any individual who has been employed to perform the duties of a regular professional employe during such period of time as the said regular professional employe is absent on sabbatical leave or for other legal cause authorized and approved by the board of school directors or to perform the duties of a temporary professional employe who is absent or who has been employed with the approval of the district or county superintendent and of the Superintendent of Public Instruction during the present wartime emergency and for a period not longer than one year beyond the cessation of hostilities to fill a vacancy until an acceptable qualified teacher can be obtained

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisons of the Consttuton the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,

Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 823, as follows:

An Act to further amend section fourteen of the act approved the thirteenth day of May one thousand nine hundred and fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by provding that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State superintednent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by permitting examinations to be made by any licensed physician

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fourteen of the act approved the thirteenth day of May one thousand nine hundred and fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" as last amended by the act approved the nineteenth day of July one thousand nine hundred and thirty-five (P. L. 1335) is hereby further amended to read as follows

Section 14 The certificate of physical fitness required by this act shall state that the minor has been thoroughly examined by the said examining physicial at the time of the application for an employment certificate and is physically qualified for the employment specified in the statement of the prospective employer In any case where the said physician shall deem it advisable he may issue a certificate of physical fitness for a limited time at the expiration of which time the holder shall again appear and submit to a new examination before being permitted to continue at work Provided however That in a school district of the first second or third class the physical examination of a minor provided for by this act shall be made by a physician employed by the board of school directors of the school district in which such minor resides and in a district of the fourth class by a physician appointed by the State Department of Health that the certificate of physical fitness provided for by this act shall be signed by said physician and that no fee or other compensation for such service shal be required to be paid by such minor or by his parent or guardian Provided however That for the duration of present hostilities and six (6) months thereafter any physician licensed to practice medicine in Pennsylvania may make such examinations in event that the parent or guardian or employer is willing to pay for same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,

Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese. D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 825, as follows:

An Act to amend section one of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 403) entitled "An act fixing the salary of county commissioners in counties of the third fourth fifth and sixth classes" by increasing the salary of county commissioners in counties of the sixth class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 403) entitled "An act fixing the salary of county commissioners in counties of the third fourth fifth and sixth classes" is hereby amended to read as follows

Section 1 Be it enacted &c That the salary of each of the county commissioners in counties of the third class shall be six thousand dollars per annum of the fourth class shall be five thousand dollars per annum of the fifth class shall be four thousand dollars per annum and of the sixth class shall be three thouand seven hundred and fifty dollars per annum payable by the county treasury in the usual manner

Section 2 Section one of the act approved the seventh day of June one thousand nine hundred seventeen (P. L. 570) entitled "An act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth" as amended is hereby repealed in so far as it applies to counties of the sixth class

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—125

Alspach,
Auker,
Barton,
Boles,
Bonawitz,
Boorse,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Haudenshield,
Helm,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thrasher,
Tiemann,
Trout,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—72

Baker,
Barrett,
Bentley,
Bentzel,
Boory,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Coleman,
Corrigan,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Flynn,
Goodwin,
Green,
Haberlen,
Hamilton,
Hare,
Harris,
Heatherington,
Herman,
Hersch,
Hewitt,
Hoggard,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Mihm,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Regan,
Reynolds,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Thompson,
Trent,
Verona,
Welsh,
Wright,
Yester.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 135, as follows:

An Act to further amend section one thousand two hundred five A of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" authorizing temporary increases in compensation of professional employes of school districts and the discontinuance of such temporary increases without the consent of such employes

The General Assembly of the Commonwealth of Pennsylvania herby enacts as follows

Section 1 Section one thousand two hundred five A of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the act approved the twenty-third day of May one thousand nine hundred nineteen (P. L. 261) and as last amended by section three of the act approved the sixth day of April one thousand nine hundred thirty-seven (P. L. 213) is hereby further amended to read as follows

Section 1205-A The salary of any district superintendent assistant district superintendent or other professional employe as defined in this act in any of the school districts of the Commonwealth may be increased at any time during the term for which such person is employed whenever the Board of School Directors (or Board of Public Education) of the district deems it necessary or advisable to do so but there shall be no demotion of any professional employe either in salary or in type of position without the consent of the said employe or if such consent is not received then such demotion shall be subject to the right to a hearing before the Board of School directors (or Board of Public Education) and an appeal in the same manner as hereinbefore provided in the case of the dismissal of a professional employe

During the present war time emergency the Board of School Directors (or Board of Public Education) whenever it deems it necessary or advisable to do so many grant temporary increases in salary and may discontinue such temporary increases at any time thereafter without the consent of the employe whose salary has been temporarily increased if in the judgment of the board the financial condition of the school district will not permit the continuance of such increase All temporary increases in salary made pursuant hereto must at the time of their being granted be designated as temporary increases and accompanied by a notice that they are made subject to being discontinued under the provisions of this paragraph of this section Unless so designated and accompanied by such notice any increases in salary shall be conclusively deemed to be permanent increases and shall be governed by the provisions of the first paragraph of this section

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, I wonder whether the gentleman from Somerset, Mr. Hare, would permit himself to be interrogated on this bill.

The SPEAKER pro tempore. Will the gentleman from Somerset permit himself to be interrogated?

Mr. HARE. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, I want to ask the gentleman whether or not this bill has any relationship to some of the provisions of House Bill 816.

Mr. HARE. I will say for the gentleman's benefit, Mr. Speaker, that this a validating feature of the same type as that which was included in House Bill 816, section 5 and is merely sent through as a safety measure.

Mr. COHEN. I thank the gentleman, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 243, as follows:

An Act relating to marriage and amending revising consolidating and changing the law relating thereto

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 License Necessary to Marry No person shall be joined in marriage within this Commonwealth until a license shall have been first obtained for that purpose from the clerk of the orphans' court of the county where the marriage ceremony is to be performed or where either of the contracting parties resides A license so issued in the county wherein either of the contracting parties resides shall authorize the marriage ceremony to be performed in any county of this Commonwealth

Section 2 Application for License to Marry No license to marry shall be issued by any clerk of the orphans' court except upon written and verified application made by both of the parties intending to marry Such application shall contain a statement of (a) the full Christian name and surname and date of birth of the applicants (b) the color age occupation birth place and residence of the applicants (c) the full Christian name and surname residence color occupation and birth place of their parents including the maiden name of the mothers (d) whether the marriage is the first second or other marriage (e) that neither of the applicants is afflicted with a transmissible disease (f) that each of the parties has submitted to an examination within thirty days of the application for the license as to the existence or non-existence of syphilis and has presented a proper statement entitling him or her to a license to marry signed by a duly licensed physician and (g) such other facts as the Department of Health may deem necessary to determine whether any legal impediment to the proposed marriage exists

Section 3 Waiting Period After Application for License No license to marry shall be issued until three full days shall have intervened between the day of making application therefor and the granting of the license except in cases of emergency or extraordinary circumstances when a judge of the orphans' court may authorize the license to be issued at any time before the expiration of said three days

Section 4 Restrictions on the Issue of Marriage License No license to marry shall be issued by any clerk of the orphans' court

(a) Until there shall be in the possession of the clerk of the orphans' court a statement or statements signed by a duly licensed physician of the Commonwealth of Pennsylvania that each applicant within thirty days of the application for the marriage license has submitted to an examination to determine the existence or non-existence of syphilis which examination has included a standard serological test or tests for syphilis and that in the opinion of the examining physician the applicant is not infected with syphilis or if so infected is not in a stage of that disease which is likely to become communicable The physician's statement shall be accompanied by a statement from the person in charge of the laboratory making the test or from some other person authorized to make such statement setting forth the name of the test the date it was made the name and address of the physician to whom a report was sent and the exact name and address of the person whose blood was tested but not setting forth the result of the test

(b) Unless at least one of the applicants is identified to the satisfaction of the clerk of the orphans' court applied to for such license or unless at least one of the applications has attached thereto a certificate from the alderman magistrate or justice of the peace before whom it was taken stating that the applicant was identified to the satisfaction of such officer

(c) If either of the applicants is under the age of twenty-one years unless the consent of a parent or guardian shall be personally given before the clerk or be certified under the hand of a parent or guardian attested by two adult witnesses and in the latter case the signature of the parent or guardian shall be acknowledged before an officer authorized by law to take acknowledgements When such a minor has no guardian and the judge of the orphans' court is absent or not accessible for any reason the clerk of the orphans' court or a duly appointed assistant clerk of said court may appoint a guardian pro hoc vice for such minor

(d) If either applicant therefor be under the age of sixteen years Provided That a judge of the orphans' court shall have discretion to authorize a license to be issued by the clerk of the orphans' court in special cases where one or both of the applicants is under the age of sixteen years

(e) If either of the applicants for license is an imbecile epileptic of unsound mind or under guardianship as a person of unsound mind or as a feeble minded person

(f) If either applicant is or has been within five years preceding the time of the application an inmate of any institution for the insane or home for indigent persons unless it satisfactorily appears that the cause for such condition has been removed and that the male applicant is able to support a family

(g) If at the time of making application either of the applicants is under the influence of intoxicating liquor or narcotic drug

(h) To a person (divorced by his or her former spouse on the grounds of adultery) for the marriage of such person to the person with whom the crime of adultery was committed during the lifetime of the former husband or wife

(i) To applicants who are of kin of the degree of first cousins

(j) To applicants within the prohibited degrees of consanguinity and affinity which are as follows

Degrees of Consanguinity

A man may not marry his mother
Do .... do .... father's sister
Do .... do .... mother's sister
Do .... do .... sister
Do .... do .... daughter
Do .... do .... the daughter of his son or daughter

A woman may not marry her father
Do .... do .... mother's brother
Do .... do .... father's brother
Do .... do .... brother
Do .... do .... son
Do .... do .... the son of her son or daughter

Degrees of Affinity

A man may not marry his father's wife
Do .... do .... son's wife
Do .... do .... wife's daughter
Do .... do .... the daughter of his wife's son or daughter

A woman may not marry her mother's husband
Do .... do .... daughter's husband
Do .... do .... husband's son
Do .... do .... the son of her husband's son or daughter

Section 5 Tests For Syphilis Physician's Statement Appeals Filing (a) For the purpose of this act a standard serological test for syphilis shall be a test approved by the State Department of Health and shall be made at a laboratory approved to make such tests by the State Department of Health Such laboratory tests as are required to be made by this act shall on request of the physician submitting the sample and on his certificate that the applicant is unable to pay be made without charge by the State Department of Health

(b) Any applicant for a marrage license having been denied a physician's statement as required by this act shall have the right of appeal to the Department of Health of the Commonwealth of Pennsylvania for a review of the case and the said department shall after appropriate investigation issue or refuse to issue a statement in lieu of the physician's statement required by section one of this act

(c) The statements of the physician who examined the applicant and the laboratory which made the serological test shall be uniform throughout the state and shall be upon forms provided therefor by the State Department of Health These forms shall be filed by the clerk of the orphans' court separately from the applications for marriage licenses and shall be regarded as absolutely confidential by any and every person whose duty it may be to obtain make transmit or receive such information or report

Section 6 Examination of Applicants Each of the applicants for a marriage license shall appear in person before the clerk of the orphans' court of the county in which the license is to be issued or before an alderman magistrate or justice of the peace of that county or of the county wherein the applicant resides

At the time of such appearance the applicant or both of them if they appear together shall be examined under oath or affirmation as to

(a) The legality of the contemplated marriage

(b) Any prior marriage or marriages and its or their dissolution if by divorce a certified copy of the decree shall be produced and filed

(c) All the information required to be furnished on the application for license as prepared by the Department of Health and

(d) The restrictions set forth in section four of this act

The application or applications shall thereupon be completed in accordance with such examination and duly sworn or affirmed and subscribed to by the applicant or applicants

Upon the completion of any application or applications taken before an alderman magistrate or justice of the peace such application or applications shall be promptly transmitted to the clerk of the orphan's court of the county in which the license is to be issued There shall be attached to each application so forwarded a certificate of the officer before whom it was taken certifying that applicant was identified to the satisfaction of such officer

The clerk of the orphans' court wherein the application for license is filed when properly completed applications on behalf of each of the parties to the proposed marriage have been taken before him or duly forwarded to him by an alderman magistrate or justice of the peace shall if there is no legal objection to the marriage grant a license Such license shall not be granted until three days shall have intervened from the date of the filing in said office of the most recent of the two applications therefor is received by or filed with the clerk of the orphan's court

The clerk of the orphans' court shall provide application blanks upon request to aldermen magistrates and justices of the peace and also blanks for certifying the identification of applicants

Section 7 Orphans' Court to Pass Upon Refusal of Clerk to Issue License In those cases where the right to a license is not made to appear the clerk of the orphans' court shall refuse to issue the same At once upon such refusal he shall certify the proceedings to the orphan's court of the county without formality or expense to the applicants for license who shall be notified by the clerk of such action

Such application for a license to marry shall thereupon at the earliest possbile time be heard by a judge of said court without a jury in court or in chambers during the term or in vacation as the case may be The finding of the court that a license ought to issue or ought not to issue shall be final and the clerk of the orphans' court shall act in accordance therewith

The true intent of this section is to secure for applicants a hearing before the orphans' court without affirmative action by said applicants and to give notice to them of such hearing its time and place without delay or expense

Section 8 Recording Application and Consent Certificate The application for license and all consent certificates shall be immediately recorded by the clerk of the orphans' court in a book provided for that purpose at the cost of the county which shall be called the marriage license docket and which shall be a public record open to inspection or examination by the public at all times during business hours Any person may make a copy or abstract of the entries contained in the said marriage license docket for the purpose of publication in any regularly published daily or weekly newspaper and it shall be lawful to publish said copy or abstract in any regularly published daily or weekly newspaper printed within the Commonwealth

Section 9 Form of Marriage Licenses Marriage Certificates (a) The marriage license as issued by the clerk of the orphans' court shall not be valid for a longer period than sixty days from the date of issue and shall be in form substantially as follows to wit

Commonwealth of Pennsylvania Marriage License Docket
ss No
County of

To any person authorized by law to solemnize marriage

You are hereby authorized to join together in marriage according to the laws of the Commonwealth of Pennsylvania A .... B.................. of full age and never heretofore married and C.......... .... D..................... likewise of full age and never heretofore married

Given under my hand and seal of the orphans' court of said county of................. at.................. this.................... day of...................... one thousand..............................

If either of said parties is not of full age of twenty-one years then in lieu of the words "of full age" his or her age shall be stated and the fact of consent of parent or guardian shall likewise be stated and if either of said parties shall have been married previously to the issuing of such license then in lieu of the words "never previously married" the number of times he or she shall have been previously married and the mode by which said prior marriage or marriages was or were dissolved shall be stated and if by divorce the cause for which such divorce shall have been granted.

(b) The license shall have appended to it two certificates numbered to correspond with said license (one marked original and one marked duplicate) which shall be in form substantially as follows

I the undersigned hereby certify that on the.......... .... day of............................ one thousand.................. at.................. Pennsylvania.......... and.......... were by me united in marriage in accordance with license issued by clerk of the orphans' court of...................... county Pennsylvania numbered....................

(Signed)..................................

(Title of person solemnizing marriage)

Section 10 Forms Where Marriage Ceremony Performed by Parties to Marriage In all cases in which the parties intend solemnizing their marriage themselves no such marriage shall take place until the clerk of the orphans' court shall certify their right so to do in a declaration in substantially the following form

Marriage License Docket.............................

To A............ B............ and C............ D...........

Legal evidence having been furnished to me in accordance with law this certifies that I am satisfied that there is no legal impediment to you joining yourselves together in marriage.

Given under my hand and seal this.................. day of.................... A D 19......
A.................. B.................. Clerk

In lieu of the certificate before set forth there shall be appended to such declaration two certificates numbered to correspond to the declaration of the clerk of the orphans' court in the following form

We hereby certify that on the.............. day of .... one thousand nine hundred and .... we united ourselves in marriage at .... in the county of .... having first obtained from the clerk of the orphans' court of said county a declaration numbered .... that he was satisfied that there was no existing legal impediment to our so doing

A .... B ....
C .... D ....

We the undersigned were present at the solemnization of the marriage of A .... B .... and C .... D .... as set forth in the foregoing certificate

D .... E ....
E .... F ....

Section 11 Persons Qualified to Solemnize Marriages The chief justice and each justice of the Supreme Court the president judge and each judge of the Superior Court each judge of the court of common pleas judge of the orphans' court judge of a county court judge of a municipal court magistrate alderman justice of the peace mayor of any city and burgess of any borough of this Commonwealth and every minister priest or rabbi of any regularly established church or congregation is hereby authorized to solemnize marriages between such persons as produce a proper marriage license Every religious society religious institution or religious organization in this Commonwealth may join together in marriage such persons as are members of the said society institution or organization or when one of such persons is a member of such society institution or organization according to the rules and customs of the society institution or organization to which they or either of them belong

Section 12 Returns of Marriages The certificate marked "original" shall by the person solemnizing the marriage be duly signed and be given to the parties contracting the marriage and the certificate marked "duplicate" shall by the person or by a member of the religious society institution or organization solemnizing the marriage be duly signed and returned to the clerk of the orphans' court who issued the license within thirty days after the solemnizing of said marriage If the marriage was solemnized by the parties themselves the certificate marked "original" shall be signed by the parties to the marriage and be attested by two witnesses and be retained by the parties contracting the marriage and the certificate marked "duplicate" shall be signed by the parties to the marriage and be attested by the same two witnesses and be returned to the clerk of the orphans' court issuing the same within thirty days

The clerk of the orphans' court upon the reception of the "duplicate" certificate shall enter the same upon the marriage license docket with the marriage license application

Section 13 Common Law Marriages Abolished Marriages Without License Void No common law marriage may hereafter be legally entered into in this Commonwealth and all such marriages hereafter entered into shall be null and void

Section 14 Marriages Within Degrees of Consanguinity and Affinity All marriages within the prohibited degrees of consanguinity or affinity as set forth in this act including marriages between first cousins are hereby declared voidable to all intents and purposes but when any of said marriages shall not have been dissolved during the lifetime of the parties the unlawfulness of the same shall not be inquired into after the death of either of the parties thereto

Section 15 Marriages During Existence of Former Marriage If a person during the life-time of a husband or wife with whom a marriage is in force enters into a subsequent marriage pursuant to the requirements of this act and the parties thereto live together thereafter as husband and wife and such subsequent marriage was entered into by one or both of the parties in good faith in the full belief that the former husband or wife was dead or that the former marriage had been annulled or terminated by a divorce or without knowledge of such former marriage they shall after the impediment to their marriage has been removed by death of the other party to the former marriage or by annulment or divorce if they continue to live together as husband and wife in good faith on the part of one of them be held to have been legally married from and after the removal of such impediment

Section 16 Preparation of Forms Applications for licenses to marry consent certificates statements of physicians and laboratories relative to examination for syphilis and marriage licenses shall be supplied to the clerk of the orphans' court by the county commissioners at the expense of the county and shall be uniform throughout the Commonwealth and specimen forms thereof as prepared by the Department of Health shall from time to time be furnished to the several clerks of the orphans' courts of this Commonwealth

Section 17 Fees The fee to be charged by the clerk of the orphans' court in various counties for issuing a marriage license or declaration and for returns thereof to the Department of Health shall be two dollars and fifty cents two dollars of which shall be for the use of the clerk of the orphans' court of the county wherein such license is issued and fifty cents for the use of the Commonwealth Where either of the applicants for a license is under the age of twenty-one years and the consent of a parent or guardian is necessary as herein provided the clerk of the orphans' court shall receive for his own use an additional fee of fifty cents for recording the certificate of consent

All moneys collected by the said clerk for the use of the Commonwealth shall at the end of each month be transmitted to the State Treasurer to be placed in the general fund for the use of the Commonwealth

Section 18 Certified Copies of Records Evidence A certified copy of the record of a marriage license under the hand of the clerk of the orphans' court and the seal of said court or under the hand of the Secretary of Health and the seal of the Department of Health shall be received in all courts of this Commonwealth as prima facie evidence of said marriage between the parties therein named.

Section 19 Penalties (a) Any clerk of the orphans' court who shall wilfully issue a marriage license in any manner except as provided for in this act or who shall refuse or neglect to enter upon the marriage license docket any marriage license application or any marriage license issued from his office immediately after it is issued or to enter any consent certificate or authorization of a judge of the orphans' court or shall fail to keep the marriage license docket open for inspection or examination by the public or shall prohibit or prevent any person from making a copy or abstract of the entries in the marriage license docket for the purpose of publishing the same in any regularly published daily or weekly newspaper shall upon conviction in a summary proceeding be sentenced to pay a fine not exceeding fifty dollars ($50.00) and costs for each offense

(b) Any applicant for a marriage license physician or representative of a laboratory who shall misrepresent any of the facts described by paragraph (a) of section four of this act or any licensing officer failing to receive the statements prescribed by said paragraph or who shall have reason to believe that any of the facts thereon have been misrepresented and shall nevertheless issue a marriage license or any person who shall disregard the confidential character of the information or reports required by said paragraph or any other person who shall otherwise fail to comply with the provisions of said paragraph shall upon conviction thereof in a summary proceeding in the county wherein such offense was committed be sentenced to pay a fine of not less than twenty dollars ($20.00) nor more than one hundred dollars ($100.00) and the costs of prosecution and upon failure to pay such fine and costs shall be imprisoned not less than ten (10) nor more than thirty (30) days

(c) Any person solemnizing a marriage who shall neglect or refuse to return the "duplicate" certificate of marriage to the clerk of the orphans' court wihin thirty (30) days after the marriage was solemnized shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of fifty dollars ($50.00) and costs

(d) If any person shall solemnize any marriage ceremony or shall be a party or an attesting witness to the same without the parties to the marriage having first obtained the proper license as provided for in this act he she or they so officiating contracting or attesting shall upon conviction in a summary proceeding be sentenced to pay a fine not exceeding fifty dollars ($50.00)

(e) Any person who shall knowingly perform a marriage ceremony between parties when either of said parties is intoxicated shall be guilty of a misdemeanor and upon conviction thereof shall pay a fine of fifty dollars ($50.00) or be imprisoned not exceeding sixty (60) days or both

(f) Any alderman magistrate or justice of the peace who shall knowingly insert or permit to be inserted any false statement in any application for marriage license or who shall make any false certification that the applicant named in such application was satisfactorily identified to him shall upon conviction in a summary proceding be sentenced to pay a fine not exceeding fifty dollars ($50.00) and costs

(g) All fines and penalties collected pursuant to this act shall be for the use of the county in which the marriage license was issued

Section 20 Statistics Each clerk of the orphans' court shall furnish the Department of Health not later than the tenth day of each month with a transcript or record of each marriage license issued and of each return of the celebration of a marriage received or filed in his office during the preceding calendar month

The transcripts or records required to be furnished shall be made by the clerk of the orphans' court on forms prepared from time to time by the Department of Health and shall contain such information as the Department may require The forms so prepared shall be furnished to the clerk of the orphans' court by the county commissioners at the expense of the county

The records so furnished to the Department of Health shall be public records open to inspection during business hours The Department of Health shall from time to time compile and publish statistics from such records for public information

Section 21 Short Title This act shall be known and may be cited as the "Marriage Law"

Section 22 Repeals The following acts and parts of acts are hereby repealed as specifically indicated

Sections five six and nine of the act approved the thirteenth day of March one thousand eight hundred and fifteen (P L 150) entitled "An act concerning divorces" so far as supplied by this act

Section two of the act approved the tenth day of April one thousand eight hundred and forty-nine (P L 549) entitled "An act to prevent the killing of deer at certain season in Union county and relative to marriage certificates" absolutely

Section four of the act approved the eighth day of May one thousand eight hundred and fifty-four (P. L. 663) entitled "An act to protect certain domestic and private rights and prevent abuses in the sale and use of intoxicating drinks" absolutely

The act approved the twenty-third day of June one thousand eight hundred and eighty-five (P. L. 146) entitled "An act relating to marriage licenses providing for officers herein indicated to issue for parties to marry" absolutely

The act approved the twenty-third day of May one thousand eight hundred and eighty-seven (P. L. 170) entitled "An act to amend section three of an act entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' approved the twenty-third day of June one thousand eight hundred and eighty-five" absolutely

The act approved the first day of May one thousand eight hundred and ninety-three (P. L. 27) entitled "An act to amend an act entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' approved the twenty-third day of June Anno Domini one thousand eight hundred and eighty-five relating to the county wherein to secure the license" absolutely

The act approved the twenty-second day of May one thousand eight hundred and ninety-five (P. L. 99) entitled "An act requiring clerks of orphans' courts to keep marriage license dockets open for inspection by the public and allow copies or abstracts of the same to be made for publication and providing a penalty for noncompliance" absolutely

The act approved the eighteenth day of June one thousand eight hundred and ninety-five (P. L. 202) entitled "An act to amend the first section of an act entitled 'An act to amend an act entitled "An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry"' approved the first day of May Anno Domini one thousand eight hundred and ninety-three relating to the county wherein to secure the license" absolutely

The act approved the twenty-fourth day of June one thousand nine hundred and one (P. L. 597) entitled "An act making it unlawful for first cousins to be joined in marriage and declaring all marriages contracted after the first day of January Anno Domini one thousand nine hundred and two in violation of this act void" absolutely

The act approved the twenty-seventh day of March one thousand nine hundred and three (P. L. 80) entitled "An act to further amend an act entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' approved the twenty-third day of June one thousand eight hundred and eighty-five" absolutely

The act approved the twenty-fourth day of March one thousand nine hundred and five (P. L. 58) entitled "An act to further amend an act entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' approved the twenty-third day of June one thousand eight hundred and eighty-five empowering notaries public to inquire of parties intending to marry touching the legality of their contemplated marriage and administer oaths to them" absolutely

The act approved the sixth day of May one thousand nine hundred and nine (P. L. 446) entitled "An act to amend the first section of an act entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' approved the twenty-third day of June Anno Domini eighteen hundred and eighty-five by increasing license fee" absolutely

The act approved the twenty-fourth day of July one thousand nine hundred and thirteen (P. L. 1013) entitled "An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court" absolutely

The act approved the twenty-eighth day of May one thousand nine hundred and fifteen (P. L. 636) entitled "An act to amend section three of an act approved the twenty-third day of June one thousand eight hundred and eighty-five entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' as amended" absolutely

The act approved the eleventh day of May one thousand nine hundred and twenty-one (P. L. 494) entitled "A supplement to the act approved the twenty-third day of June one thousand eight hundred and eighty-five (P. L. 146) entitled 'An act relating to marriage licenses providing for officers herein indicated to issue licenses for parties to marry' imposing an additional license fee for the use of the Commonwealth" absolutely

The act approved the second day of May one thousand nine hundred and twenty-five (P. L. 494) entitled "An act fixing the fee to be charged for the issuing of marriage licenses" absolutely

The act approved the twenty-fourth day of March one thousand nine hundred and twenty-seven (P. L. 64) entitled "An act establishing the minimum marriageable age at sixteen years and providing for certain exceptions thereto" absolutely

The act approved the seventh day of May one thousand nine hundred and thirty-five (P. L. 152) entitled "An act to amend section one of the act approved the twenty-fourth day of July one thousand nine hundred and thirteen (P. L. 1013) entitled 'An act regulating the issuance of licenses to marry prohibiting the issuance of such licenses to certain persons regulating the time during which licenses shall be valid and the time when returns shall be made of marriages solemnized to the clerk of the orphans' court and prescribing the duties of the clerk of the orphans' court' by requiring three days to elapse between the application for and the issuance of the license" absolutely

The act approved the seventeenth day of May one thousand nine hundred thirty-nine (P. L. 148) entitled "An act regulating the issuance of marriage licenses prohibiting the issuance thereof to persons infected with syphilis in certain stages requiring each applicant to produce certain evidence of freedom from such disease imposing duties upon the Department of Health and the clerk of the orphans' court of the various counties and imposing penalties" absolutely

All acts and parts of acts inconsistent with this act are hereby repealed

Section 23 Effective Date The provisions of this act shall become effective the first day of January one thousand nine hundred forty-four

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—193

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple.
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese. D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—4

Lovett,
O'Connor,
Moran,
Welsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 393, as follows:

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever hereafter any person partnership or corporation having in possession money which is claimed by two or more persons or corporations shall come into any court of record in this Commonwealth either at law or in equity and disclaim all interest in the funds procure an interpleader between the rival claimants to determine the true ownership of the funds and pay the said funds into court or as the court may direct the court shall allow to the stakeholder out of the funds paid into court its costs and such reasonable counsel fee as the court may determine to be proper to be taxed as costs of the proceeding

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the proivsions of the Constitution the yeas and nays were taken and were as follows:

YEAS—196

Alspach,
Auker,
Baker,
Barrett,
Barton.
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Finnerty,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Watkins,
Walton,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,

Elliott,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—1

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 592, Printer's No. 276, was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 789, as follows:

An Act to amend the definition of "Trailer" in section one hundred two as amended of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" provided that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner no registration fee shall be required therefor

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The definition of "Trailer" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 102 Definitions The following words and phrases when used in this act shall for the purpose of this act have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning

* * * * *

"Trailer" Every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle Provided That wagons and agricultural machinery drawn by motor vehicles for the transportation of the agricultural products of the owner of such wagons or machinery or returning from such transportation shall not be included within such definition and no fees shall be required to operate such vehicles on the public highways

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 711, Printer's No. 430 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 305, as follows:

An Act providing for the admission of children to and their education and maintenance in and their discharge from the Pennsylvania Soldiers' Orphan School prohibiting discharging children or taking children from said school or children from leaving the same without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Board of Trustees of Pennsylvania Soldiers' Orphan School shall admit to the Pennsylvania Soldiers' Orphan School under such rules and forms of application as it may adopt children over six (6) and under fourteen (14) years of age of parents who have resided in this Commonwealth for a continuous period of not less than five years prior to application for admission of such children or prior to the death of the last survivor of such parents and one or both of whose parents has served in any branch of the armed forces of the United States during any war in which the United States has been is now or may hereafter be engaged or in any movement or campaign in connection therewith or resulting therefrom and has died in such service or has been honorably discharged therefrom

Preference in admission shall be as follows. (1) Children both of whose parents are dead (2) Children whose fathers are dead and whose mothers are living (3) Destitute children not being in either of the two foregoing classes

Section 2 Children so admitted shall be educated and maintained in the Pennsylvania Soldiers' Orphan School until they shall severally become nineteen years of age unless sooner discharged for cause by order of the board Provided That the board may at its discretion extend the time of the discharge of any child until the end of the school year during which such child reaches the age of nineteen years For the purposes of this proviso the school year shall be deemed to commence the first day of September of each year

Section 3 No child admitted to the Pennsylvania Soldiers' Orphan School shall be discharged therefrom or leave the same or be taken therefrom by any person except on order of the board of trustees In discharging a child from the school or in permitting a child to leave or be taken from the school the board of trustees shall be governed by the best interests of the child or the best interests of the other children in the school as the case may be

Section 4 Whoever takes any child from the Pennsylvania Soldiers' Orphan School or assists any child to leave the same without an order from the board permitting such taking or leaving and any child who leaves said school without permission to do so shall upon summary conviction thereof be sentenced to pay a fine of not more than fifty dollars ($50.00) and in default of the payment thereof and costs shall undergo imprisonment not to exceed ten days or in the case of a minor subject to the jurisdiction of the juvenile courts shall be dealt with by such court as in other cases of juvenile delinquency

Section 5 Sections six seven and eight of the act approved the twenty-seventh day of May one thousand eight hundred ninety-three (P. L. 171) entitled as amended "An act providing for the acquisition of land and the erection equipment management and operation of the Pennsylvania Soldiers Orphans' School the maintenance of children admitted thereto and regulating the admissions to and discharges from the said Pennsylvania Soldiers Orphans' School" and their amendments are hereby repealed absolutely

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 6 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—195

Alspach,
Auker,
Baker
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice.
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox.
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill.
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Lovett,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Bucks, Mr. Stockham, for presiding.

BILL PASSED OVER

There being no objection House Bill No. 663, Printer's No. 444, was passed over at the request of the SPEAKER.

REPORT FROM COMMITTEE

Mr. FLEMING from the Committee on Cities—Second Class, reported as amended, House Bill No. 643, entitled:

An Act to amend clause (e) of section six and section seven of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and for the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by increasing the maximum compensation to be paid to the chief clerk and to counsel for the commission.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 263.

An Act to amend section fifteen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" requiring written notice to be given in certain cases to each taxable person whose assessment shall be changed at any triennial assessment

HOUSE BILL No. 285.

An Act to further amend section one of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1518) entitled as amended "An act regulating the construction equipment maintenance operation and inspection of elevators granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing fees for inspection of elevators certificates of operation and approval of plans providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith

HOUSE BILL No. 355.

An Act to amend section five hundred thirty of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the filing of the treasurer's bond

HOUSE BILL No. 460.

An Act to add Section six to the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 600) entitled "An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by and department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term or substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes" saving to members of the Pennsylvania Motor Police Force their right to increases in pay and certain advancements in rank

HOUSE BILL No. 503.

An Act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau prescribing the powers and duties of such bureau requiring the registration with such bureau by landowners of certain information relative to the location ownership and transfer of title of real property located in such county imposing certain additional duties upon the county surveyor the sheriff and the recorder of deeds in such county and providing penalties

HOUSE BILL No. 561.

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by increasing the amount for which under certain conditions such companies may issue policies in the event of death from natural or accidental causes

With the information that the Senate has passed the same without amendment.

Mr. McKINNEY. Mr. Speaker, since we have had such an enjoyable evening tonight, I was just thinking it may occur to me tomorrow to poll the House.

SENATE MESSAGF

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 13, 1943.

Whereas, The Pennsylvania Legislative Correspondents' Association was organized in 1895 and has been in continuous and uninterrupted existence since that date; and

Whereas, The Association has been recognized by the General Assembly of the Commonwealth of Pennsylvania in its rules; and

Whereas, It has been the custom of the Association to hold a biennial dinner during regular sessions of the General Assembly in which members of the General Assembly have participated; and

Whereas, This year is the 48th anniversary of the organization of the Association which is the oldest association of its kind in the Nation; and

Whereas, The members of the Association have voted to dispense with their biennial dinners for the duration of the war; and

Whereas, The Association has used its funds, ordinarily expended toward the cost of these biennial dinners, to purchase War Bonds; therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania felicitates the Pennsylvania Legislative Correspondents' Association on its forty-eighth anniversary; and be it further

Resolved, That the General Assembly expresses its hope that conditions will be such in 1945 that the Senators and Representatives can unite with the Correspondents in celebrating in a fitting and appropriate manner the Golden Anniversary of this Association; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of the House of Representatives to the Pennsylvania Legislative Correspondents' Association at its offices in the News Room in the Capitol.

Mr. SKALE. Mr. Speaker, I heard a few moments ago a threat by the gentleman from Venango, Mr. McKinney, that he might poll the House tomorrow. I would like to remind the gentleman and the other gentlemen of the House that to do that might impose a very severe hardship on one of the Members from Philadelphia, namely the gentleman from Philadelphia, Mr. Levy, who tomorrow night is being married. I am sure that if we would do that it certainly would be very unfair to him.

Mr. COHEN. Mr. Speaker, if that would happen, I would suggest that you tell the Sergeant-at-Arms to bring the Rabbi too.

The SPEAKER. The Chair thinks that that is a good suggestion.

COMMITTEE MEETINGS

There will be meetings of Committees on:

Apportionment, Thursday, April 15, at 11 a. m. Room 329.

Banking, Thursday, April 15, at 11:30 a. m. Room 330.

Constitutional Amendments, Thursday, April 15, at 12 Noon. Room 325.

Counties, Thursday, April 15, at 11 a. m. Room 522.

Education, Thursday, April 15, at 11 a. m. Room 324.

Military Affairs, Thursday, April 15, at 12 Noon. Room 327.

Mines and Mining, Thursday, April 15, at 10:30 a. m. Room 323.

Townships, Thursday, April 15, at 12 Noon. Room 522.

ADJOURNMENT

Mr. WALLIN. Mr. Speaker, I move that this House do now adjourn until Thursday, April 15, 1943, at 1 p. m.

The motion was agreed to, and (at 1:50 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., THURSDAY, APRIL 15, 1943. No. 43.

SENATE

THURSDAY, April 15, 1943.

The Senate met at 10:00 o'clock a. m.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

In the absence of the Chaplain, prayer was offered by the Senator from Berks, Dr. RUTH.

Almighty God, our Heavenly Father, we thank Thee for this new day. We ask Thy spirit to guide us this day that we may do Thy will in whatever comes before us. We pray that Thou wilt use us in this coming weekend in our homes and communities so that we may show forth the love with which Thou didst enter into Thy great sacrifice on the Cross, that man may believe in Thee, that the world may follow Thee, and that love and peace may rule throughout the world.

We ask it in Thy Holy name. Amen.

JOURNAL

The PRESIDENT. The Clerk will proceed to read the Journal of the preceding Session.

(During the reading of the Journal the following occurred.)

Mr. WALKER. Mr. President, I suggest the lack of a quorum, and ask for a roll call.

The PRESIDENT. Will the Senator from Allegheny postpone the roll call until we come to the order of Leave of Absence, or does the Senator from Allegheny wish a roll call at this time?

Mr. WALKER. Mr. President, I request a roll call at this time.

Mr. TALLMAN. Mr. President, I join in the request of the gentleman from Allegheny.

Mr. WADE. Mr. President, I join in the request of the gentleman from Allegheny, Senator Walker.

Mr. WALKER. Mr. President, I ask that the Sergeant-at-Arms be instructed to close the doors, and that all Senators take their seats and answer to the roll call.

Mr. COLEMAN. Mr. President, I have no objection to the request—

Mr. WALKER. Mr. President, there is nothing before the Senate but the calling of the roll.

POINT OF ORDER

Mr. COLEMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Lackawanna will state his point of order.

Mr. COLEMAN. My point of order, Mr. President, is that I have not heard any member of the Senate suggest a roll call.

The PRESIDENT. For the information of the gentleman from Lackawanna, the Senator from Allegheny, Mr. Walker, has asked for a roll call.

Mr. THOMAS B. WILSON. Mr. President, I join in the request of the Senator from Allegheny, that the roll be called.

Mr. President, if I am not mistaken, it requires four Senators to join in a request for a roll call.

Mr. PRESIDENT. The gentleman from McKean is correct. Under the rules, it does require four Senators to request a roll call for the purpose of ascertaining whether or not a quorum is present.

Mr. THOMAS B. WILSON. Then, Mr. President, I join in the request of the gentleman from Allegheny, Senator Walker.

The PRESIDENT. The Clerk will call the roll.

(During the calling of the roll the following occurred.)

Mr. BARR. Mr. President, I am not trying to stop the roll call, but I just ask the same treatment from the Chair that was accorded us yesterday, and that we be permitted to ask for leaves of absence, the same as we did yesterday.

The PRESIDENT. For the information of the gentleman from Allegheny, Mr. Barr, yesterday the request for a roll call was not made until after we had passed the order of Leaves of Absence.

Mr. BARR. Mr. President, I will have to insist that the Journal be read.

The PRESIDENT. May I suggest to the gentleman from Allegheny, Senator Walker, I think that it would be much better if leaves of absence were granted first, and then the roll be called. However, that is a matter for the Senate to decide and not for the Chair. If Senator Walker and the other members of the Senate who joined in the request for a roll call insist that the roll be called before Leaves of Absence are requested, the Chair will have to accede to their request. I personally think, however, that it would be much better to wait until Leaves of Absence are requested.

Mr. WALKER. Mr. President, upon the conclusion of the calling of the roll, I think it is perfectly proper then to consider leaves of absence, so that the gentlemen who are absent with cause will have that placed on the record.

I submit, under the rules of the Senate, Mr. President, that there is nothing before the Senate at this time but the calling of the roll.

The PRESIDENT. The Chair sustains the position of the Senator from Allegheny, Mr. Walker.

The Clerk will call the roll.

Mr. MALLERY. Mr. President, I wish to announce that Senator Becker is attending a hearing in the Senate caucus room.

The PRESIDENT. The Chair feels that any explanation should come after the calling of the roll.

QUORUM PRESENT

Whereupon,

The Clerk called the roll and the following Senators signified their presence in the Senate by saying "present".

29—PRESENT

Barr,
Bowers,
Carr,
Chapman,
Coleman,
Crowe,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska.
Heyburn.
Homsher.
Kephart.
Mallery,
McGinnis.
McQuiddy.
Ruth.
Scarlett,
Stiefel.
Tallman.
Thomas,
Tyler,
Wade,
Walker,
Wilson. H. I.,
Wilson. T. B.,
Woodring,
Woodward,

The PRESIDENT. The roll having been called and 29 Senators being present, the Chair declares that there is a quorum.

What is the pleasure of the Senate?

REQUESTS FOR LEAVES OF ABSENCE

Mr. THOMAS B. WILSON. Mr. President, I ask temporary leaves of absence for Senators Watkins, Dent, Becker, Cox and Snowden, who are now engaged in business under the direction of the Senate. I ask temporary leaves of absence for the Senators I just mentioned, until they have finished the work they are engaged in.

The PRESIDENT. Is there objection to leaves of absence for the Senators named by the gentleman from McKean, Senator Wilson, who are attending to the business of the Senate.

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I object to that permission, until I rise on a point of information.

The PRESIDENT. The gentleman from Cambria will state his point of information.

Mr. HALUSKA. Mr. President, I desire to learn from the Chair how many members of this body have obtained leaves of absence prior to the roll call.

The PRESIDENT. The gentleman from Cambria will please wait a moment.

Mr. THOMAS B. WILSON. Mr. President, I asked for leaves of absence, temporarily, for members of the Senate who are engaged at the moment in the business of the Senate, and there is nothing else before the Senate at this time.

RULING BY THE CHAIR

The PRESIDENT. The Chair rules that it having been determined that a quorum is present, the Senate will proceed to the regular order of business, which first is approval of the Journal of the preceding session, followed by leaves of absence, at which time leaves of absence can properly be requested for those for whom leaves of absence are justly due.

Mr. HALUSKA. Mr. President, am I in order to ask the Chair how many members of the Senate have obtained leaves of absence before the calling of the roll.

The PRESIDENT. The gentleman from Cambria is out of order at the present time. Just as soon as that order of business is reached the Chair will be glad to entertain the inquiry of the gentleman from Cambria.

JOURNAL APPROVED

The Clerk proceeded to further read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. SCARLETT, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtaned leave of absence for Mr. TAYLOR, on account of illness.

He also asked and obtained leave of absence for Mr. ZIESENHEIM, who is serving in the armed forces of the United States.

He also asked and obtained leave of absence for Mr. EDMONDS, on account of illness.

He also asked and obtained leave of absence for Mr. CRIDER, on account of an emergency business matter.

He also asked and obtained temporary leave of absence for Mr. DEITRICK, on account of an emergency case that he felt he should attend to this morning. Senator Deitrick will return to the Senate shortly.

POINT OF INFORMATION

Mr. THOMAS B. WILSON. Mr. President, I rise to a point of information.

The PRESIDENT. The gentleman from McKean will proceed.

Mr. THOMAS B. WILSON. Mr. President, on account of the parliamentary inquiry raised by the gentleman from Cambria, Senator Haluska, do I understand that the Chair ruled that I could not request leaves of absence for the Senators I mentioned before and that that request has not been granted.

The PRESIDENT. That is correct.

LEAVE OF ABSENCE

Mr. Thomas B. Wilson asked and obtained leave of absence for Mr. WATKINS, who is engaged in legislative business in pursuance to a resolution adopted by this Senate, and who is in the Capitol.

He also asked and obtained leave of absence for Mr. DENT, who is engaged in legislative business in pursuance to a resolution adopted by this Senate, and who is in the Capitol.

He also asked and obtained leave of absence for Mr. BECKER, who is engaged in legislative business in pursuance to a resolution adopted by this Senate, and who is in the Capitol.

He also asked and obtained leave of absence for Mr. COX, who is engaged in legislative business in pursuance to a resolution adopted by this Senate, and who is in the Capitol.

He also asked and obtained leave of absence for Mr. SNOWDEN, who is engaged in legislative business in pursuance to a resolution adopted by this Senate, and who is in the Capitol.

Mr. McGinnis asked and obtained leave of absence for Mr. JASPAN, who is engaged in the trial of a case in Philadelphia.

He also asked and obtained leave of absence for Mr. HOLLAND, who is attending a meeting in the Capitol this morning.

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise on a point of information.

The PRESIDENT. The gentleman from Cambria will state his point of information.

Mr. HALUSKA. Mr. President, as I understand it, when the roll was called earlier this morning, I think twenty-nine Senators answered to the roll call, and leaves of absence have been granted to ten other Senators, which makes thirty-nine. There are eleven members missing. I would like to determine from the Chair what members have obtained leaves of absence prior to today.

The PRESIDENT. The Chair will be glad to answer that.

The Senate will be at ease until the information is obtained.

REQUEST WITHDRAWN

Mr. HALUSKA. Mr. President, I understand that the information which I requested previously is not at hand, and in order not to delay the business of the Senate further, I now withdraw my previous request.

PERMISSION TO ADDRESS SENATE

Mr. WOODWARD asked and obtained unanimous consent to address the Senate.

Mr. WOODWARD. Mr. President, are we still under the order of business of leaves of absence.

The PRESIDENT. We are.

Mr. WOODWARD. I simply wish to say, as to my colleague, Senator Edmonds, that I am his substitute physician and stand ready at a moment's notice to give him a certificate for his absence, which enables me to make an observation.

This is the first time I have seen some of the Sergeants-at-Arms and I am perfectly delighted. I also call the attention of the Chair to the fact that we have nine Sergeants-at-Arms. I have now seen three of them, and I would like to have all the Sergeants-at-Arms come here, as I would like to make their acquaintance.

PERMISSION TO ADDRESS SENATE

Mr. LETZLER asked and obtained unanimous consent to address the Senate.

Mr. LETZLER. Mr. President, I have been over to the Department of Revenue relative to important legislation I wanted to get cleared up, and that is the reason I was not present in the Senate earlier.

The PRESIDENT. The statement of the gentleman from Clearfield, Senator Letzler, will be noted in the record.

PERMISSION TO ADDRESS SENATE

Mr. CROWE asked and obtained unanimous consent to address the Senate.

Mr. CROWE. Mr. President, I wish to report present. The reason I was absent when the roll was called was that I was in the barber's chair, and now have only half a haircut.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I have absolutely no objection, and I have not voiced any objection on this floor at any time to leaves of absence being granted to any of my colleagues in the Senate, for legitimate reasons but, Mr. President, I would like to respectfully suggest that there are a number of us here this morning, who are, in their private lives, engaged in the practice of law and our practices have suffered because we are here, because of cases being postponed or being farmed out to lawyers who are smart enough not to run for the Senate.

Mr. President, I now serve notice that from now on until this Senate adjourns sine die, I will object to members of this Senate asking for leaves of absence so they can go home and try cases, because if some of us have to stay here and suffer through this filibuster, I am going to insist that all who are physically able come here and suffer with us the miseries that have been inflicted upon us during the past several days, and I say now that we should all suffer that misery together.

The gentleman from Allegheny, Senator Barr, who is the author of this filibuster, has to sit here and suffer as do many of his colleagues, and I feel that we all should suffer together.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, the first filibuster I have seen has been going on here now for over half an hour. Why do we not get to the business of the day instead of all these inquiries?

PERMISSION TO ADDRESS SENATE

Mr. FARRELL asked and obtained unanimous consent to address the Senate.

Mr. FARRELL. Mr. President, I do not very often rise to speak, but I wish to say that I agree one hundred per cent with the gentleman from Allegheny, Senator Walker. Since I have been a member of this Senate, I have not been absent one minute.

However, Mr. President, I wish to say that this morning I went out to the washroom, and I was absent when the roll was called, and I wish to say further that if I am going to spend my time here and do nothing, then, let us all go home. I think unless a person has a reasonable excuse that he should be in this Senate, and I think it is outrageous if they are not here. You are elected as Senators to serve the Commonwealth and not to go away and try cases. Of course, if you are ill, that is a satisfactory excuse and you are not expected to be here. We do not expect Senator Edmonds to be here, but I for one back up what Senator Walker says.

I do not say much on this floor, but I do not like to come here and be unable to transact state business, because there are not enough members present to do so.

The PRESIDENT. The point of the Senator from Philadelphia, Mr. Farrell, is very well taken.

PERMISSION TO ADDRESS SENATE

Mr. THOMAS B. WILSON asked and obtained unanimous consent to address the Senate.

Mr. THOMAS B. WILSON. Mr. President, I am sorry I can not agree with everything that the gentleman from Philadelphia has said. I do agree that the members of the Senate should be urged to arrange their business so that they could come here at least for a portion of the legislative week, but to state that public business has been held back because of the absence of members, I do not think that is true. I think there have always been twenty-six Senators ready to vote in the Senate of Pennsylvania. I am quite proud of the members of the Senate who have come here and attended to their duties, but I repeat, I do not think that any legislation has been held up or has not had due and proper consideration, because anybody was absent.

I want to say this to the members of the Senate, that it is just about as difficult for me to come here as it is for anybody. I have to make a living, and I am not only physically worn out, but I am strapped financially, and I ought to go home and get a notarial fee, if I can get it, because the sheriff is on the front porch. If I can do it at any time, I am going to do it.

I want to say another thing, Mr. President, I am a believer in the traditions of the Senate and the way it has been functioning throughout the years, when people have been allowed to go home and attend to their business. When a minority leader has been able to say to the majority, we have so and so who is interested in such and such legislation, we have always waited for him, whether the Republicans or the Democrats were in power, and I believe that today we can get along that way without any trouble.

We are now in a position where strong feeling has developed and where technicalities are being raised and it is hard for us to do business, but for a couple of days we have given a demonstration in the Senate of Pennsylvania that we can do business whether technicalities are raised or not, in spite of the technicalities.

I say, Mr. President, let us go ahead, and let us not worry about some fellow who is trying a law suit or has to bring a baby into the world. We will be all right.

PERMISSION TO ADDRESS SENATE

Mr. COLEMAN asked and obtained unanimous consent to address the Senate.

Mr. COLEMAN. Mr. President, getting back to the plight of the gentleman from Monroe, Senator Crowe, who appeared on the Senate floor with half a haircut, one of the punsters on our side of the House made the suggestion that we are used to getting "clipped" over here and we are delighted that the Senator from Monroe, Mr. Crowe, is enjoying the same treatment.

HOUSE MESSAGES

AMENDMENT TO HOUSE BILL NO. 373 RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 373, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," changing the definition of "dealer," providing for the issuance and use of temporary registration cards and temporary registration plates or markers, and prescribing penalties.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT. The bill as amended will appear on tomorrow's Calendar.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 273, entitled:

An Act to further amend the act, approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519), entitled "General Borough Act," by further regulating the affairs of boroughs, and revising, amending and changing the law relating thereto.

Which was committed to the Committee on Municipal Government.

House Bill No. 386, entitled:

An Act to further amend clauses six and nine of section one and section three of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "State Employes Retirement Law," further defining State employes and original members and making further exception to compulsory membership in the system.

Which was committed to the Committee on State Government.

House Bill No. 703, entitled:

An Act to further amend sections two and thirty of the act approved the eleventh day of May, one thousand nine hundred twenty-one, (P. L. 522), entitled as amended "Dog Law of 1921," further defining the word "owner;" and increasing amounts to be paid by State for livestock, poultry and game birds.

Which was committed to the Committee on Agriculture.

House Bill No. 836, entitled:

An Act to amend the title and sections four, six, seven and eight of the act approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 6) entitled "An act relating to national and State defense, providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor," by conferring certain powers and duties upon the State Council of Defense, local and district councils of defense; eliminating certain provisions no longer in effect; and providing penalties.

Which was committed to the Committee on State Government.

House Bill No. 1003, entitled:

An Act authorizing and directing the Department of Highways to erect and maintain, as a post war construction project, a toll bridge over the Allegheny River between a point in or near the Borough of Tarentum, Allegheny County, and a point in Westmoreland County, and to provide the necessary approaches and connections with State highways; providing for the acceptance of Federal aid empowering counties to pay certain damages; providing for the collection of tolls on such bridges; and making an appropriation.

Which was committed to the Committee on Highways.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was read as follows:

Senate Bill No. 112, entitled:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the State signed the same.

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

PETITIONS AND REMONSTRANCES

Mr. HOLLAND asked and obtained unanimous consent to address the Senate.

Mr. HOLLAND. Mr. President, this morning I was requested by a delegation of citizens from my district to read to the Senate two demands by people in convention now being held in Harrisburg by the C.I.O., and I now request permission to do so.

The PRESIDENT. The gentleman from Allegheny may proceed.

Mr. HOLLAND. The statements are as follows:

RESOLUTION EMERGENCY LEGISLATIVE PROGRAM

"Whereas, This session of the Assembly of the Commonwealth of Pennsylvania must not end without passing legislation truly in the interest of the war effort and the people of this Commonwealth,

"Therefore Be It Resolved, That the Pennsylvania Industrial Union Council, CIO, in Convention assembled, propose the following minimum emergency legislative program for Victory to every member of the Assembly for immediate action—

A. A Constitutional Amendment in Pennsylvania providing that all men and women over the age of eighteen shall have the right to vote;

B. Legislation outlawing discrimination in employment in industry, civil service, and public utilities due to race, color, national origin or creed, and outlawing discriminatory references in advertising for employment;

C. Adequate appropriation by the Commonwealth to set up child care nuresries in industrial areas to enable mothers of young children to fill vital war jobs;

D. Legislation for "partial unemployment compensation," who are employed for only a part of the week, due to material shortages and other problems involved in war production;

E. Legislation for full unemployment compensation under the act for men returning from the armed services, pending their finding employment;

F. Provisions for a real post-war planning commission, with adequate appropriation in the budget to propose means to solve the problems which will develop at the end of the war, concerning public works, slum clearance, housing, rural electrification, extended social security, conservation, and conversion of industry.

"And Be It Further Resolved, That this is a program designed to win the war, and that we call upon members of the Assembly to introduce discharge resolutions to secure immediate consideration and record vote on these matters on the floor.

"Adopted April 13, 1943, Harrisburg, Pa."

"RESOLUTION ON PENNSYLVANIA ASSEMBLY

"Whereas, The critical job facing the Assembly of the Commonwealth of Pennsylvania when it convened this year, was the job of mobilizing the people and resources of this Commonwealth 100% in our Victory effort, and

"Whereas, Instead of addressing itself to a program to carry out this job, the Assembly has so far been given over to disruptive attacks on labor and the working people, attempts to smash the social gains scored in the State, ripper bills of every kind, handouts to the financial interests and corporations, attempts to gerrymander progressive representatives out of office by unjust re-apportionment, and to sheer petty partisan politics, and

"Whereas, The present trend in the Assembly is making a mockery of the pledge of the Governor of the Commonwealth, who is the responsible leader of the party in power, that his Administration and his party would be dedicated to a win-the-war program, and

"Whereas, The present developments in the Assembly threaten unity of our people and popular morale for Victory, and threaten the welfare of the common people of this arsenal of democracy.

"Therefore Be It Resolved, That the Pennsylvania Industrial Union Council, CIO, in Convention assembled, representing many thousand of war production soldiers in the great steel, ship building, electrical, machine, textile, clothing, aluminum, glass, leather goods, and other industries, demands that the Assembly of this Commonwealth get down to business on a program to help win the war,

"Be It Further Resolved, That to insure that the present trend in the Assembly is reversed, destructive legislation defeated, and constructive legislation passed, we call upon all sections of the people, labor in the CIO, the AFL, and other Unions, the working farmers, and the plain people in all walks of life, to unite and make their voices heard for a program for Victory and the people in this Commonwealth, and

"Be It Finally Resolved, That the officers and a commitee of this Council be directed immediately to contact other branches of the labor movement who will co-operate on all-out win-the-war and people's program, for the purpose of joint representations to responsible political leaders and to members of the Assembly.

"Adopted on April 13, 1943, Convention in Harrisburg Pa."

REPORT FROM COMMITTEE

Mr. HENRY I. WILSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 565, entitled:

An Act to amend section one of the act approved the sixteenth day of May, one thousand nine hundred thirty-nine (P. L. 139) entitled "An act authorizing counties, cities, boroughs, townships of the first and second class, and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof, and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds; and fixing a penalty for the violation thereof," extending the provisions thereof to meet increased operating expenses during the war emergency.

PERMISSION TO ADDRESS SENATE

Mr. JAMES asked and obtained unanimous consent to address the Senate.

Mr. JAMES. Mr. President, I was not here this morning when the roll was called, for the reason that I was in the office of the Secretary of Internal Revenue to obtain some information on legislative matters.

I now desire to be recorded as being present.

The PRESIDENT PRO TEMPORE. The gentleman from Bucks will so recorded.

BILLS INTRODUCED AND REFERRED

Mr. HOMSHER (by request) read in his place and presented to the Chair, Senate Bill No. 568, entitled:

An Act to further amend the "County Institution District Law," the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), by further defining the term "dependent" and to impose institution districts the duty to provide for the care of persons suffering from senility without psychosis.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

He also (by request) read in his place and presented to the Chair, Senate Bill No. 569, entitled:

An Act to amend sections one hundred three and four hundred one, and to further amend section two hundred one by adding thereto subsection (d) of "The Mental Health Act of one thousand nine hundred twenty-three," the act approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), by excluding from the operation thereof persons suffering from senility without psychosis, and providing for the designation of State institutions and hospitals for the care of certain persons suffering from tuberculosis,

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

Messrs. MALLERY, STEVENSON and COLEMAN read in their places and presented to the Chair, Senate Bill No. 570, entitled:

An Act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities, and county institution district, purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the offices of assistant assessor and assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment.

Which was committed to the Committee on Municipal Government.

Mr. CROWE read in his place and presented to the Chair, Senate Bill No. 571, entitled:

An Act to further amend sections twenty-six and thirty-five of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock, killed by, or dying from, rabies and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," providing for payment by the Commonwealth for the Pasteur treatment against rabies; and fixing the Commonwealth's liability for enforcement of said act.

Which was committed to the Committee on Agriculture.

Mr. SCARLETT read in his place and presented to the Chair, Senate Bill No. 572, entitled:

An Act to add section 617.2 to the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," authorizing school districts of the third and fourth class to continue work on school buildings abandoned as projects by the Works Projects Administration or other Federal agency, on contracts entered into pursuant to solicited bids, in order to protect such buildings from loss or damage by the elements.

Which was committed to the Committee on Education.

Mr. WADE on behalf of Mr. CRIDER read in his place and presented to the Chair, Senate Bill No. 573, entitled:

An Act to amend sections two and three of the act, approved the twenty-fourth day of July, one thousand nine hundred and forty-one (P. L. 490), entitled "An act relating to acknowledgments of written instruments, and to make uniform the law with relation thereto," by authorizing deputy recorders of deeds to take acknowledgments and validating acknowledgments taken by them.

Which was committed to the Committee on Judiciary General.

Mr. STIEFEL read in his place and presented to the Chair, Senate Bill No. 574, entitled:

An Act abating unpaid tax penalties and interest on certain city and school taxes heretofore levied by cities of the first class and school districts of the first class against real estate owned by certain institutions of purely public charity and giving such taxing authorities the right to reject the provisions of the act.

Which was committed to the Committee on Judiciary General.

Messrs. STIEFEL and HOMSHER read in their places and presented to the Chair, Senate Bill No. 575, entitled:

An Act to amend clause (d) of section six hundred two and one-tenth of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the power of directors of school districts in the sale of unused and unnecessary lands and buildings.

Which was committed to the Committee on Education.

Messrs. WOODRING and MALLERY read in their places and presented to the Chair, Senate Bill No. 576, entitled:

An Act to add clause fifty-five to section two thousand four hundred three of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the sale of unused and unnecessary land and buildings.

Which was committed to the Committee on Municipal Government.

Messrs. WOODRING and GOURLEY read in their places and presented to the Chair, Senate Bill No. 577, entitled:

An Act to further amend the act, approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting certain employes to contribute on the basis of salary previously received; and requiring the Commonwealth to contribute on the same basis in such cases.

Which was committed to the Committee on Education.

They also read in their places and presented to the Chair, Senate Bill No. 578, entitled:

An Act to amend article three of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the formation except in counties of the second class of State and county associations of assessors or other assessing and taxing officers, providing for the organization, operation and meetings thereof and imposing the duty of paying certain expenses connected therewith upon counties.

Which was committed to the Committee on County Government.

REQUEST FOR TEMPORARY LEAVE OF ABSENCE

Mr. WALKER. Mr. President, yesterday the distinguished Senator from Allegheny, Senator Holland and I were invited to attend a conference at eleven o'clock this morning in the House caucus room with a delegation from the C.I.O., who are now in convention assembled in the Capitol City, and at this time I would like to respectfully request temporary leave of absence for Senator Holland and myself, so that I may go down and be refreshed with some of those resolutions that we heard read on the floor this morning, and upon my return, I will take the opportunity to make a few comments to my colleagues with regard to the legislative program.

The PRESIDENT PRO TEMPORE. Is there objection to temporary leave of absence for the Senator from Allegheny, Senator Walker, and the Senator from Allegheny, Senator Holland? The Chair hears none. Leave is granted.

SENATE CONCURRENT RESOLUTION

Mr. COLEMAN offered the following resolution which was twice read as follows and referred to the Committee on State Government.

INVITING THE HON. JOSEPH F. GUFFEY AND THE HON. JAMES J. DAVIS TO APPEAR BEFORE A JOINT SESSION AND REPORT THE STATE OF THE NATION AND THE CONDUCT AND PROGRESS OF THE WAR AND POST-WAR PLANNING

In the Senate, April 15, 1943.

The newspaper reports of the conduct and progress of the Wars in which our Nation is now engaged, continue to impress us with confidence in its final successful conclusion.

The plans promulgated by leading statesmen for the conduct of the Nation and of the World after the termination of the war, are different, and include such as would change our mode of life.

The Congress of the United States and its members are in close touch with world affairs, and are acquainted with facts that are not made known to all the people.

It would be of great value to the members of the General Assembly of the Commonwealth to hear directly from members in Congress from Pennsylvania and their messages might have a beneficial effect upon pending legislation; therefore be it

Resolved (if the House of Representatives concur) That the President Pro Tempore of the Senate shall communicate with the two United States Senators, the Honorable Joseph F. Guffey and the Honorable James J. Davis, the Keystone State's ambassadors to the seat of the Federal Government at Washington, and invite them to appear together, at an agreeable time, before a joint session of the Senate and House of Representatives of this General Assembly, and give to its members a full report of the state of the Nation and the conduct and progress of the war and of post-war activities and plans, to the end that Pennsylvania may be fully and authentically advised of the things which are of vital interest to her people, and that this great Commonwealth may be the better guided in the formation of a legislative policy that shall protect her best interests, accelerate her efforts in assisting in the successful prosecution of the war and in making wise plans for the days that are to follow the termination of hostilities.

Mr. COLEMAN. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT PRO TEMPORE. Is there objection?

Mr. HEYBURN. Mr. President, I do not know whether the members of the Senate listened to the reading of this resolution or not, but it provides for a joint session in order to hear two speeches, one by Senator Guffey and the other by Senator Davis. Whether the Senators want to hear any more speeches or not, I do not know but I would like to warn them what the resolution is all about. I have no objection; I can stand it personally.

POINT OF INFORMATION

Mr. HENRY I. WILSON. Mr. President, I rise on a point of information.

The PRESIDENT PRO TEMPORE. The gentleman from Jefferson will state his point of information.

Mr. HENRY I. WILSON. Do I understand that there is a call that this be acted upon immediately.

The PRESIDENT PRO TEMPORE. That is correct.

Mr. HENRY I. WILSON. I rise in place to make this statement. I feel that this attendance today does not justify action at this time, and I therefore object to its being acted upon immediately. I suggest that it go over for the present, and while I am on my feet, I want to serve notice on this Senate, that you are requiring all of us to be here early and late, four or five days, perhaps a week, and with the feeling that has been running here this week, and the inconceniences that have been put upon those of us who have tried to serve the state without any idea of political matters and without any partisanship that the time has not come when we should have to call upon the United States Senate or upon the United States House of Repersentatives or any other man who serves in any capacity in Washington to come and tell us about the affairs of the nation.

We have all kinds of newspapers, we have all kinds of members of the Senate and House of Representatives offering us all kinds of information and making all kinds of speeches and giving us all kinds of advice and all kinds of information to see that we do not make any errors. If you people do not, through the radio and through the press, and through the eloquent speeches on this side and that side know what the federal government is doing or have some opinion upon it, it would be pretty poor policy to give some of our time to the very distinguished United States Senators representing us, we hope, in the great Senate of United States, and to me it seems a thing that should not be done at this time.

If it had been given us earlier in the session, so that it would have been of some real use, there would be some justification or excuse for it. It seems to me, that if those two gentlemen have any message of any kind to send to us, I suggest that they put it in writing and mail it to us. Should we recognize their right to come before us to mould public opinion, under the guise of saying that they are reporting from Congress the condition of the United States? Think about it, the condition of the United States, to be told to us by any Senator or anybody else. It speaks for itself in very much stronger language than can be put into effect by either of the Senators who might come here. Therefore, I feel that it would be a waste of time, no matter how intelligent and how wonderful an orator may come, whatever the information may be that he brings to us in the last days of the session, being limited as we are to the business which we are supposed to do, to give our time to these people to tell us what to do and create more feeling.

Mr. President, this is only the start of some of the things that I have been thinking about during this week and I propose from now on, and I serve notice herewith that along with some of the other gentlemen, who have had so much of their own way on that side, reading papers and repeating things that somebody else wrote for them, I have some few words to say myself, and therefore, whether you want to take it or not, it does not make any difference to me. I think it is time for somebody to get up and say something, and I am serving notice today here on the floor, as I have served notice in some other places, to the effect that from now on, if it is a free-for-all, if it is a football game, let us have it and we will start in and we will play the game from a technical standpoint or as a free-for-all, just as you wish it.

Therefore, Mr. President, I object to immediate consideration of this resolution at this time, and probably at any time.

Mr. COLEMAN. Mr. President, very early I was taught at the knee of my very devoted mother to have respect for my elders, and I do not intend to get into any acrimonious debate with the gentleman from Jefferson.

I felt, from my observations in the last week or two, that he was rather anxious to get on his feet and to express some of the things that he had in mind about the alleged filibuster on the Democratic side, but I had no idea that the introduction of a resolution, which has absolutely no connection with what is going on, would afford him the medium for expression of his sentiments.

Let me say, first of all, that when he is talking about repeating a speech, I do not think he is making reference to me, because I want it known right here and now that I have never at any time repeated a speech or delivered one that was written by any other gentleman but myself.

Further, Mr. President, I can not agree with the gentleman from Jefferson that listening to a speech or speeches by members of the United States Senate is a waste of time, because as you all know, those gentlemen are in closer touch with the situation than are the members of the general assembly of Pennsylvania, and we may get from them some sort of a concrete suggestion for some war time legislation, which obviously is lacking in this Session of the Senate. So far as wasting time is concerned, Mr. President, I do not think that either one of these gentlemen would have used any more time than was used in the demonstration to which the Senate was subjected this morning. As to myself, I am frank to confess maybe I contributed to the waste today.

Mr. President, I am not going to quarrel about immediate consideration of this resolution. I think maybe some good could come out of it, but to paraphrase a rather familiar tune, We did it before and I think we ought to do it again.

The PRESIDENT PRO TEMPORE. The resolution is referred to the Committee on State Government.

RESOLUTION

Mr. WOODWARD offered the following resolution which was twice read as follows:

REQUESTING THAT CERTAIN HOUSE BILLS ON THE CALENDAR SHALL NOT BE READ AT LENGTH

In the Senate, April 15, 1943.

Whereas, there are now on the Calendar 12 bills No. 829 to 889 inclusive which accomplish the change of one word namely, the word "motor" to the word "state" police,

And Whereas, by actual count these 12 bills to change one word contain 15,173 words,

Resolved, that an exception to the present procedure of reading bills, be adopted in the case of these bills and that the Clerk will not be required to read any of these bills at length.

Mr. WOODWARD. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions be referred to an appropriate committee, be dispensed with and the Senate proceed to the consideration of the foregoing resolution.

The PRESIDENT PRO TEMPORE. Is there objection?

Mr. WOODWARD. I ask for immediate consideration, because, Mr. President, I have consulted the villian of the peace, Senator Barr, and he says he will o. k. this.

POINT OF ORDER

Mr. WOODRING. I rise to a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Northampton will state his point of order.

Mr. WOODRING. Mr. President, I have no objection to immediate consideration of the resolution, but I rise to express the point of order that we can not by resolution set aside the provisions of the Constitution. If it is the thought and pleasure of the body of the Senate to raise no objection to symbolic readings, I am perfectly agreeable, but I do not think we should approach the question by resolution, which by its own nature can not set aside a Constitutional provision.

The PRESIDENT PRO TEMPORE. Does the gentleman from Northampton object to immediate consideration?

Mr. WOODRING. Out of deference to my good friend, Dr. Woodward, I will raise no objection.

RESOLUTION REFERRED

The PRESIDENT PRO TEMPORE. The Chair, as an individual member of the Senate, objects to immediate consideration.

The resolution is therefore referred to the Committee on State Government.

PARLIAMENTARY INQUIRY

Mr. WOODWARD. Mr. President, I rise on a question of parliamentary inquiry.

The PRESIDENT PRO TEMPORE. The gentleman from Philadelphia will state his parliamentary inquiry.

Mr. WOODWARD. The resident is out of order; he has no vote when he is sitting up front.

Mr. HEYBURN. I will object, Mr. President.

The PRESIDENT PRO TEMPORE. If the Senator from Philadelphia, Dr. Woodward, insists that it is not proper for me, while occupying the Chair, to file objection, I will call someone else to the Chair.

Mr. WOODWARD. I do not insist on that, Mr. President.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 644

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 13, 1943.

Resolved (if the Senate concur), That House Bill No. 644, Printer's No. 162, entitled:

An Act to further amend sections five hundred and eleven and six hundred and ten of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "Tractor Code," authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery; and fixing fees therefor

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 694

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 14, 1943.

Resolved (if the Senate concur), That House Bill No. 694, Printer's No. 131, entitled:

An Act to amend sections one, five, seven, nine and twelve, and to repeal section six of the act, approved the twenty-seventh day of May, one thousand nine hundred and thirty-seven (P. L. 901), entitled "An act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers, and imposing duties on the Department of Agriculture; providing for appeals and injunctions; and prescribing penalties," by changing definitions, the period of the license and the fee therefor, and the contents of records; eliminating the requirement for a bond, and adding to the reasons for refusing licenses

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

STATE COUNCIL OF DEFENSE TO REQUEST ALL DEALERS IN POULTRY TO DISCONTINUE SALE OF CHICKS, DUCKLINGS AND RABBITS DURING THE EASTER SEASON

He also presented extract from the Journal of the House, which was twice read as follows:

In the House of Representatives, April 5, 1943.

Each Easter Season in this enlightened country thousands of live chicks and ducklings and young rabbits are sold for temporary Easter pets for children who know nothing about, and care less for, their proper feeding and care.

Most of these unfortunate chicks and duckling and rabbits die within a few weeks of starvation or misuse or plain cruelty.

Each one of these chicks or ducklings or rabbits, if properly cared for would have grown to maturity and in time would have assisted in reducing the food scarcity existing in the nation.

The sale of these live fowl and animals has become more than a matter of cruelty and now takes its place as a means of hindering and interfering with the prosecution of the war effort by wasting needed food and increasing the scarcity of meat.

It is now a matter more for the attention and action of the State Council of Defense than one for local societies for the prevention of cruelty to animals; therefore be it

Resolved (if the Senate concur) That the attention of the State Council of Defense is hereby called to the situation created by the sale of chicks, ducklings and young rabbits during the Easter Season and the Council is hereby respectfully requested to request all merchants, farmers, and dealers in poultry and other livestock to immediately discontinue the practice of selling such chicks, ducklings and rabbits and to publicize its actions in order that the public might be informed of its contribution to the scarcity of food in the purchase of such livestock; and be it further

Resolved, That the Chief Clerk of the House shall transmit a copy of this resolution to the Chairman of the State Council of Defense.

On the question,

Will the Senate agree to the resolution?

Mr. HEYBURN. Mr. President, I move that the Senate concur in the House resolution.

Mr. TALLMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I rise on a point of information.

The PRESIDENT PRO TEMPORE. The gentleman from Cambria will state his point of information.

Mr. HALUSKA. Mr. President, by the passage of this resolution now, would it be mandatory or just a request upon the farmers of this Commonwealth.

The PRESIDENT PRO TEMPORE. The resolution is simply a request, as the Chair understands it.

Mr. HALUSKA. There is no question of law involved, is that correct.

The PRESIDENT PRO TEMPORE. There is no question of law involved. It is a request, as the Chair understands it.

Mr. HALUSKA. Mr. President, as I understand it, the resolution is simply a request. However, the Senator from Butler, Mr. Carr, did introduce a bill covering the same situation here on Monday of this week, I think it was.

POINT OF ORDER

Mr. COLEMAN. Mr. President, I rise to a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Lackawanna will state his point of order.

Mr. COLEMAN. As I understand it, Mr. President, we can not enact laws by the passage of concurrent resolutions, adopted by the House and the Senate, but I am just a bit fearful, since we have delegated to the State Council of Defense the authority to adopt rules, that this may have the effect of law if the State Council of Defense adopts it.

Mr. CARR. Mr. President, reference has been made to a bill I introduced by request, which would prohibit the sale of less than twelve of these live chicks or ducklings. In the Committee on Agriculture, this bill was the object of some ridicule and belittling, and consequently it did not come out of the Committee of Agriculture and my impression is that it will not come out. Therefore, I think that this resolution, while it has not the effect of law, it will not be law, as I understand it, it will act somewhat in the same nature as the law might have acted in calling the attention of the people to the fact that this waste of food and this cruelty to these little birds and animals is going on, and therefore I am in favor of passing the resolution at this time.

And the question recurring,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONGRATULATIONS EXTENDED TO CARBON COUNTY ON ONE HUNDREDTH ANNIVERSARY

He also presented extract from the Journal of the House, which was twice read as follows:

In the House of Representatives, April 7, 1943.

Carbon County was created by an act of Assembly of March 13, 1843 more than one hundred years after the arrival of a group of Moravians in search of a haven of safety.

From the time of the arrival of that intrepid band of white men and women who later survived the great Onadon Hutton Massacre in 1755 the territory they settled has prospered.

In this territory Benjamin Franklin, recognizing it as an outer defense of Philadelphia, personally supervised the building of Fort Franklin in what is now Weissport as a protection and a barrier against the Indians of the North.

In 1791 Philip Ginter discovered anthracite coal and started one of the great industries of the Commonwealth and which led to the building of the Lehigh Valley Railroad in 1855 by Asa Packer who later built and heavily endowed Lehigh University.

From this county came men who have contributed greatly to the development of the Commonwealth. They marched and endured with Washington, their sons answered the call of Abraham Lincoln, and fought in France and their grandsons and great grandsons are now scattered over the battlefields of Europe and Asia and are demonstrating the same bravery and fortitude that marked those heroic founders of this county.

On Monday, March 8, 1943, the Carbon County Historical Society petitioned the Court of Common Pleas of Carbon

County to hold a special session of the court on Saturday, March 13, 1943, in commemoration of the one hundredth anniversary of the founding of Carbon County.

The court granted the prayer of the petition and on March 13, 1943, a special session of the court was held in the Court House with Judge James C. McCready presiding.

Fred Brenckman, formerly of Hudsondale, representative of the National Grange and author of the History of Carbon County was the principal speaker. Congressman Francis H. Walter, Judge Samuel Shull, Monroe County, Judge Frank McClusky, Northampton County, State Senator M. F. Crowe, Hon. Elmer Holmes of the House of Representatives and others also spoke.

It was an impressive, instructive and successful celebration of an important happening and those responsible for the preparation of the program and the carrying out of the plans are deserving of great credit. It was an occasion of which some permanent record should be made; therefore be it

Resolved (if the Senate concur), That the General Assembly extends to the people of Carbon County its congratulations upon the successful celebration of the one hundredth anniversary of the founding of their county, it congratulates also those who planned and carried out the celebration and those who took part in it; and be it further

Resolved, That in order to make a permanent record of the occasion it is ordered that this resolution be printed in the Legislative Journal and that a copy thereof be forwarded by the Chief Clerk of the House of Representatives to the Honorable James C. McCready, President Judge of the Courts of Common Pleas of Carbon County.

Mr. CROWE. Mr. President, as Carbon County is a part of my district it is a pleasure to move immediate adoption of this resolution.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS INTRODUCED AND REFERRED

Mr. GOURLEY. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. GOURLEY read in place and presented to the Chair Senate Bill No. 579, entitled:

An Act to further amend section one thousand one hundred forty-seven of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 03), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto" by providing as to certain additional roads, streets, lanes and alleys which may be accepted as public highways by boards of supervisors of townships of the second class.

Which was committed to the Committee on County Government.

Mr. THOMAS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. THOMAS read in place and presented to the Chair Senate Bill No. 580, entitled:

An Act to add Section 806.1 to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," making it unlawful for any person, while hunting or trapping, to carry any firearm with the safety off, except during the momentary interval of time necessary to permit the discharge of such firearm; and providing penalties.

Which was committed to the Committee on Forests and Waters, Game and Fish.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceede to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 14 and 15, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 14, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss L. Adelaide Simpson, Pittsburgh, 7417 Thomas Blvd.

CAMBRIA COUNTY

Mrs. Marie L. Sullivan, Johnstown.

LUZERNE COUNTY

Miss Angeline Ferugiari, Wilkes-Barre.

McKEAN COUNTY

Mrs. Kathryn M. Wiles, Bradford.

MERCER COUNTY

T. H. McKean, Grove City.

MIFFLIN COUNTY

Robert M. Himes, Union Twp., Belleville.

NORTHAMPTON COUNTY

William C. Myers, R. D. 3, Easton.

PHILADELPHIA COUNTY

Mrs. Esther Harris, Phila., 2112 W. Columbia Ave.

WESTMORELAND COUNTY

Mrs. L. L. Heegmann, Greensburg.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 14, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

ALLEGHENY COUNTY

V. E. Griffin, Glassport, April 22, 1943.

BUCKS COUNTY

Mrs. Mabel S. Mitchell, Langhorne, April 22, 1943.

PHILADELPHIA COUNTY

Ernest T. Wright, Phila., 326 N. 12th St., April 23, 1943.
Miss Eleanor E. Ellis, Phila., 1501 Walnut St., April 24, 1943.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor 's Office, Harrisburg, April 15, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss A. D. Corcoran, Leetsdale.

CRAWFORD COUNTY

Mrs. Myra R. Stevens, Springboro.

DELAWARE COUNTY

M. W. Young, Jr., Radnor Twp., 103 W. Lancaster Ave., Wayne.

LACKAWANNA COUNTY

Miss Agnes M. Shander, Blakely.

PHILADELPHIA COUNTY

Edgar H. Beaumont, Phila., 1346 E. Rittenhouse St.
Miss Cecilia C. Casey, Phila., 5852 Florence Ave.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crowe,
Deitrick,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

PERSONAL PRIVILEGE

Mr. WOODWARD. Mr. President, I rise on a question of personal privilege.

The PRESIDENT PRO TEMPORE. The gentleman from Philadelphia will state his question of personal privilege.

Mr. WOODWARD. My question of personal privilege is to show how wrong the gentleman from Allegheny, Senator Barr, is in this matter of strict interpretation of the Constitution.

The Constitution of 1874 provides, as we have heard, that all bills shall be read at length. There is nothing said about printing, but we heard Senator Encyclopedic Shapiro say that bills so far have cost $60,000 per bill and if the Senator says it, it must be true. Now, I would like to quote the Latin phrase "Reductio ad absurdum," and that is just about where we are now at.

Mr. President, I would like to call your attention to this matter, and I should like a moment to say to these people who have Constitutionitis, that the mere printing of these bills that I objected to costs $265.92. I am not quite sure, but I understand that all of the reading by the reading clerk is being printed at the expense of the state, and that shows what a ridiculous situation and what a very expensive situation we are falling into. When I think of having had only one cup of coffee and one pat of butter for breakfast—I am trying to win the war that way—it seems as if we ought to do something here and not throw our money away as we are doing, owing to the position taken by the President Pro Tempore, and the Senator from Allegheny, and, I guess, the Lieutenant-Governor also, about being so strict in their interpretation of the Constitution.

If you want to save money, you have got to modify that misapprehension about reading at length and printing at length.

The PRESIDENT PRO TEMPORE. The Chair has already made a ruling, and suggests that we proceed with the order of business.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, the Senator from Philadelphia, Dr. Woodward, is probably the most inconsistent man in the Senate.

The other day he said that the point I had raised was a good one, because he had never heard before, a bill he had introduced and which was read at length here, and he said he thought the idea was a very good one.

PERMISSION TO ADDRESS SENATE

Mr. COLEMAN asked and obtained unanimous consent to address the Senate.

Mr. COLEMAN. Mr. President, I had the misfortune of missing the early part of the discussion between the gentleman from Philadelphia, Dr. Woodward, and the gentleman from Allegheny, Senator Barr, but I have heard considerable discussion by some members repeatedly about the tremendous cost to the Commonwealth of the alleged filibuster carried on by the Democrats, or the insistence by the Democrats that we live up to the constitutional provisions.

I would like to point out to the gentleman from Philadelphia that I personally can not see where there is any cost being added to the Commonwealth of Pennsylvania, because the per diem employes are paid from the time the Presiding Officer's gavel falls calling the session to order until we adjourn sine die. In other words, if the Legislature was in session for a twenty-four hour period, it would not add to the $10,000 payroll each week. As I understand it, under the laws of the Senate, these employes, whether they work two hours or two days a week, are paid for seven days a week, so the argument that this is adding a tremendous cost to the Commonwealth is a fallacy.

The PRESIDENT PRO TEMPORE. The Chair would like to call the attention of the Senate to the fact that the next order of business is consideration of the Calendar.

PERSONAL PRIVILEGE

Mr. WOODWARD. Mr. President, I rise again on a question of personal privilege.

The PRESIDENT PRO TEMPORE. The gentleman from Philadelphia will state his question of personal privilege.

Mr. WOODWARD. Mr. President, in reply to the Senator from Lackawanna, he knows, I think, that I object to the per diem people and I have gone on record to that effect.

My patronage here consists of an assistant postmaster who comes here on Thursdays, Fridays and Saturdays and this being Thursday, I though surely this morning I would meet him and I have been out there and he has not shown up as yet.

I should like to also say to my good friend, Senator McCreesh, I too think it is a good thing to limit the number of bills reported out on the Calendar, and I would like to call attention to the fact that my Committee on Federal Relations ought to be given a blue ribbon or something, because they do not report out bills; they have always pigeon-holed every bill that has been submitted to them, because the motto on the wall is, "No relations with the Federal Government."

I have here a resolution that passed the House to the effect that when the war is over the United States shall furnish free transportation on United States warships to and from the Philippines, after the cessation of the present hostilities, to every man and woman who formed a part of the expeditionary force that made possible the freedom of the Filipinos and the creation of a new Republic of the Philippines.

That is very fine language, but it will not get out of committee—I hope.

PERMISSION TO ADDRESS SENATE

Mr. GELTZ asked and obtained unanimous consent to address the Senate.

Mr. GELTZ. Mr. President, I would like to reply to the argument or statement of my colleague from Allegheny County, Senator Coleman, first of all, that there was no increase in the cost of operating as we have been operating this week. I think, Mr. President, that he overlooked one very important point, and that is while we have been in session for long hours this week and we have passed a considerable number of bills, we have been unable to hold important committee meetings for the approval of important matters, and in order that that be done, there can be only one or two things take place. If the other side persists in doing what they have been doing this week, the session will have to be extended considerably in order that we can find time to hold committee meetings for consideration of important bills, or, if that does not happen, I think we should serve notice on the various groups and the various associations in this state who are interested in various legislative matters, that if this thing continues, the chances are that the bills in which they are interested will not be passed at this session.

It goes without saying that when Senators, Legislators, have to stay in this Chamber for a matter of twelve, thirteen, fourteen hours a day in order to have these bills read at length, as they have been read this week, and in order to pass legislation, that they certainly can not give proper consideration to important bills which come up for consideration before the various committees, they can not give proper consideration to many other important matters, and the chances are if this thing continues, there are going to be a lot of disappointed people in this Commonwealth, and they can lay their disappointments on the doorstep of the Democratic minority.

PERMISSION TO ADDRESS SENATE

Mr. THOMAS B. WILSON asked and obtained unanimous consent to address the Senate.

Mr. THOMAS B. WILSON. Mr. President, while I feel that I am encroaching on the patience of the Presiding Officer, I want to say this while I am locked in here, I am going to make this statement because I am not going to allow any impression to arise that I have not performed my constitutional duties here because of technicalities that have been raised recently.

Mr. President, I do not agree with the construction that is being placed upon the Constitution. The Constitution of Pennsylvania is a flexible instrument and it comes with poor grace for Democrats, who have changed all the fundamental laws of the United States, to say that the Constitution is a hard and fast instrument that does not change with the people, and I want to state my views, as a country lawyer, on the Constitution.

We have put through more than seventy years of legislation and as to the construction put on the Constitution, what words mean, reading at length, and so on, my interpretation of the Constitution is that a bill must be on the Calendar and that the Presiding Officer must call the attention of the members to the fact that such bill, by number, is now up, and that is the interpretation, the unanimous established interpretation of the legislature, both House and Senate, and that is the Consitutional machinery, and there is no way in which anybody can question the action of the Legislature. Each body decides on the meaning of the Constitution, so far as that is concerned, and no court can question what we do, and for more than seventy years we have put this interpretation on the Constitution, that it means that the bill must be printed, have it on the Calendar, have it called to the attention of the members by the Presiding Officer. I just want to make this statement, because I would not admit that after all these years of service, that I had no regard for my oath of office, when the gentleman from Allegheny, Senator Barr, insists on the strict interpretation of the Constitution, and that when he turns his back I disregard it. I have always had regard for my oath of office, that I will support and obey the Constitution of Pennsylvania, and I have been doing it all the time, but Senator Barr is now taking a technical position and there is nothing we can do about it, because my colleague would not listen to me, but I want to put on this record that I do not think it is necessary to read bills at length under the Constitution, and that when they are on the desks of the Senators, and on the Calendar, and called to the attention of the members by the Presiding Officer, we have then complied with the Constitution. If, next week, Senator Barr relaxes his insistence and we go back to reading the bills as we always have, I do not want anybody to say that I disregarded my oath, because I think we are and have been performing our duty all the time, under the ordinary interpretation of the Constitution that we have accepted as the correct interpretation of the Constitution.

BILLS ON SECOND READING

Mr. HEYBURN. Mr. President, by reason of the fact that a number of Senators are attending committee meetings, who desire to be present when bills on final passage, third reading recalled from the Governor, and third reading are considered, I ask unanimous consent that the Senate do now proceed to the order of business of bills on second reading.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 92, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 155, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" exempting for the duration of the present war persons in the armed forces from the payment of a fee to the Commonwealth for resident fishing licenses.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. CHAPMAN. Mr. President, I move that Senate Bill No. 217, on second reading, entitled:

An Act creating a joint legislative committee for the purpose of studying investigating and reporting findings and recommendations to the next regular session of the General Assembly on the problems of crime prevention, sentencing, incarceration, commutation of sentence, probation, parole, pardoning and penal systems authorizing the employment of necessary assistants and making an appropriation

be recommitted to the Committee on Appropriations.

Mr. GELTZ. Mr. President, I second the motion.

The motion was agreed to.

Mr. HEYBURN. Mr. President, I move that House Bill No. 311, on second reading, entitled:

An Act authorizing the county commissioners in each county of the second class to appoint a fire marshal and two assistant fire marshals providing for the term of office and compensation of the persons so appointed and prescribing their powers and duties imposing certain additional duties upon county commissioners policemen constables watchmen and other persons authorizing the fire marshal or his assistants to enter upon properties to investigate various fire hazards and to order the removal or abatement of such hazards conferring certain police powers upon the fire marshal and his assistants repealing certain general special and local legislation and prescribing penalties

be recommitted to the Committee on County Government.

Mr. KEPHART. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 354, on second reading, entitled:

An Act to further amend clause (d) of section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 452), entitled, as amended, "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to sell and convey projects and property to the Commonwealth, the United States, or any Federal agency

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 356, on second reading, entitled:

An Act to amend clause one of section seven hundred two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the period for which contracts for lighting may be made

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 363, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 390, entitled:

An Act to further amend section three and section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in capitivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by providing for the issuing of free licenses for seeing-eye dogs and by increasing the amount of certain payments to be made to the Commonwealth for damages caused by dogs or rabies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, at the request of the Chairman of Committee on Appropriations, I move that House Bill No. 522, on second reading, entitled:

An Act relating to post-war planning creating a Post-War Planning Commission and defining its powers and duties conferring powers and duties upon State administrative departments boards and commissions political subdivisions and other agencies and making an appropriation.

be recommitted to the Committee on Appropriations.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 535, entitled:

An Act to further amend section one, article eight, of the act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," providing that only persons who are registered holders of certificates of qualification or service shall be employed as mine foremen and assistant mine foremen.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 549, on second reading, entitled:

An Act to further amend sections three hundred one and three hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by authorizing the Board of Finance and Revenue with the approval of the Governor to invest State deposits in short-term obligations of the United States government and to dispose of the same

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 588, entitled:

An Act to amend paragraph four of subsection (c) of section two hundred two and to further amend section six hundred twenty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-surance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the purposes for which certain companies may be incorporated to include insuring medical hospital surgical and funeral expenses in connection with certain kinds of liability insurance and insuring against loss or damage to property from certain causes for which the person insured is liable.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 817, entitled:

An Act to amend the title and the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2420) entitled "An act fixing the hours of rest each calendar week and the vacation period of members of the Pennsylvania Motor Police Motor Police and Patrolmen and Guards in State Parks" by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 818, entitled:

An Act to amend sections one two and four of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 494) entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescribing the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies" by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 819, entitled:

An Act to further amend the title and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1314) entitled as amended "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth prescribing the qualifications for admission of such persons to such school providing for the payment of certain costs by such students conferring certain powers upon the Pennsylvania Motor Police and making an appropriation" by imposing upon the Pennsylvania State Police the duties formerly imposed upon the Pennsylvania Motor Police.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 820, entitled:

An Act to amend the title and certain sections of the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled "An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by changing the name of the Pennsylvania Motor Police Retirement System to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police and conforming said act to existing law.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 824, entitled:

An Act to further amend certain sections of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as reenacted and amended by making the moneys in the Motor License Fund available to the Pennsylvania State Police to defray the expenses required by such agency in the proper conduct of part of its work.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with, The Senate proceeded to the second reading and consideration of House Bill No. 826, entitled:

An Act to further amend sections eight hundred and twenty-three (i) and (j) and one thousand two hundred and eleven of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 829, entitled:

An Act to amend the title and sections four five six and eight of the act approved the third day of July one thousand nine hundred forty-one (P. L. 249 entitled "A supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled 'An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties' by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System and the name Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 831, entitled

An Act to amend the title and certain sections of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 660) entitled "An act providing for the return of escaped prisoners and convicts after apprehension to the penitentiary or state institution from which they escape by the agents of the Department of Justice or the Pennsylvania Motor Police and requiring the penitentiary or state institution to defray the expenses thereof" by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 833, entitled:

An Act to further amend the title and the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 414) entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania Motor Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 889, entitled:

An Act to amend section eight of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by changing the name State Highway Patrolmen to Pennsylvania State Police.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 914, on second reading, entitled:

An Act to further amend the title and certain sections of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania Motor Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania Motor Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania Motor Police and the enforcement of its orders and prescribing penalties" by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 462

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 15, 1943.

Resolved (if the Senate concur), That House Bill No. 462, Printer's No. 140, entitled:

An Act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States, or from any women's organization officially connected therewith, without a learner's permit, examination, or additional fee, and the temporary suspension of existing laws requiring the same

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL INTRODUCED AND REFERRED

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ on behalf of Mr. SNOWDEN read in place and presented to the Chair, Senate Bill No. 581, entitled:

An Act to further amend section one thousand seven hundred seven of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general special or local, or any parts thereof, that are or may be inconsistent therewith," by allowing certain pupils to attend schools in other districts.

Which was committed to the Committee on Education.

REPORT FROM COMMITTEE

Mr. RUTH. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH, from the Committee on Public Health, reported as committed, House Bill No. 403, entitled:

An Act to amend section seven of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by requiring a copy of the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association to be kept in every pharmacy.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE BILL NO. 130, PRINTER'S NO. 42

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1943

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 130, Printer's No. 42, entitled "An Act to amend section two hundred thirteen of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth' by prohibiting the sale of or offering for sale of bait-fish or fish-bait taken from the waters of this Commonwealth when not artificially propagated and sold pursuant to an artificial propagation license granted by the board."

EDWARD MARTIN.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until 1:30 o'clock p. m.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

CALL OF THE SENATE

Mr. WALKER. Mr. President, I raise the question of a quorum, and ask for a roll call. I also ask that the Sergeant-at-Arms close the doors.

Mr. GELTZ. Mr. President, I join in the request.

Mr. THOMAS. I join in the request, Mr. President,

Mr. WADE. I also join in the request, Mr. President.

Mr. BOWERS. I join in the request, Mr. President.

Mr. McQUIDDY. I join in the request, Mr. President.

The PRESIDENT. The Sergeant-at-Arms will close the doors and keep them closed.

Whereupon,

The Clerk called the roll and the following Senators signified their presence in the Senate by saying "present."

Roll call, 1:30 p. m.

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

33—PRESENT

Barr,
Becker,
Bowers,
Carr,
Coleman,
Cox,
Crowe,
Deitrick,
Dent,
Ealy,
Farrell,
Geitz,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Wilson, H. I.,
Woodring,

The PRESIDENT. The roll having been called and 33 Senators being present, the Chair declares that there is a quorum.

What is the pleasure of the Senate?

PERMISSION TO ADDRESS SENATE

Mr. McGINNIS asked and obtained unanimous consent to address the Senate.

Mr. McGINNIS. Mr. President, I can not quite understand why, if there is such a great desire on the part of the other side of the Senate to transact business here, that we will waste all morning on a roll call and now start in after a recess on a roll call, and waste another hour or so. It is quite apparent that the other side is realizing that there has been more work done this week than in any other week since this session started, and now it is apparent that there is a real, genuine filibuster on the other side, to delay any more work this week, for fear that this will show as the best week by two or three times in the way of bills passed and work done than any other week during this session.

PERMISSION TO ADDRESS SENATE

Mr. BECKER asked and obtained unanimous consent to address the Senate.

Mr. BECKER. Mr. President, it so happens that Senator Dent, Senator Cox, Senator Snowden, Senator Watkins, Senator Crider and myself are six senatorial members of a committee appointed some weeks ago to investigate the procedure of certain municipal authorities in the state of Pennsylvania.

This committee has been functioning very diligently, and at the close of the sessions last week, not anticipating this unnecessary routine through which we have been going this week, we called to Harrisburg, to meet representatives of a number of municipal authorities in the state of Pennsylvania, from Beaver Falls, and the western part of the state, Pittsburgh, Gettysburg, Schuylkill County, and other parts of the state of Pennsylvania.

Heretofore, ordinarily we have been able to conduct these meetings on Thursday for the reason the session did not last so long on Thursday that we could not coordinate our time with the time of the session.

As I have stated, by reason of what we have been suffering from this week, it so happens that these persons are now down in the Senate Caucus Room, they have come from all over the state of Pennsylvania, we can not send them back and tell them by reason of the situation here that we can not hear them today. That would be most discourteous to them and rude.

The committee sat this morning from nine o'clock until twelve-thirty and then recessed until two o'clock. We have asked these folks to come back there at two o'clock. I think examination of the remaining representatives who are there will consume about two hours. I do not think that the Senate can go on without the six members of our committee being here on the floor to transact business in the ordinary way.

Under the circumstances, Mr. President, I see no other alternative than to ask that at two o'clock the Senate recess for a period of two hours in order to give our committee an opportunity to function.

The PRESIDENT. What is the pleasure of the Senate?

Mr. HEYBURN. Mr. President, we can continue until two o'clock, at least with the first reading Calendar.

I regret very much that this filibuster took place, but there is nothing we can do about that except to continue until two o'clock, and then, of course, we will have to allow these members to attend the committee hearing.

Mr. DENT. Mr. President, I am very fearful that the Floor Leader on the minority side has expressed what I believe to be the purpose of the other side. The Senate has performed its business all morning, without the six members being here—what little business was performed—but there was a quorum present in the Senate.

If there are any bills that we are particularly interested in, you can do as you have always done, let them go over in order, and take up the first and second reading Calendar where our presence is not absolutely needed, and perform the duties of the Senate if you wish. However, if the majority desires to conduct their filibuster on a different course, we will follow that.

Mr. BECKER. I think the suggestion of the Senator from Westmoreland, Mr. Dent, is manifestly unfair to those of us who have a desire to participate in the deliberations of the Senate.

Mr. COX. Mr. President, these men that we had asked to be at this Committee meeting were here very promptly this morning, and I know we have almost completed all our work. I do not think it will possibly take us more than half an hour or an hour. Do you gentlemen on the Committee agree with that?

Mr. BECKER. Mr. President, I concur in the statement of the Senator from Allegheny. I may have slightly overstated the time required. I think we may be able to finish our committee hearing in a shorter time than I stated.

Mr. COX. I did not know the gentleman from Lebanon had made a statement; I am very sorry.

Mr. BECKER. I suggested two hours, but I may have overstated slightly. It may be that we can conclude our hearing today in an hour or an hour and a quarter.

Mr. COX. Mr. President, we of course have an obligation to these men. We invited them here, they have come from long distances, and I think it would be manifestly unfair not to hear them. At the same time, matters before this Senate are of great importance, and whether it will be necessary to have a recess in order to meet this dual situation, I do not know, but obviously that should come first.

Mr. BARR. Mr. President, this is not a problem for this side. Whatever they decide, they will do anyhow, so let them get together over there.

Mr. HEYBURN. Mr. President, I suggest we proceed with the first reading Calendar, and after the first reading Calendar is completed we can determine how much longer the Committee will require to complete the hearing. If they have to stay too long, the only thing we can do is to put the third reading bills over in order. We will determine that after the first reading Calendar is completed.

PERMISSION TO ADDRESS SENATE

Mr. STEVENSON asked and obtained unanimous consent to address the Senate.

Mr. STEVENSON. Mr. President, I understand that while I was attending a meeting of the Committee on Municipal Government, the roll was called. I desire to be marked present.

The PRESIDENT. The statement of the Senator from Clinton will be noted on the record.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 105

The Clerk of the House of Representatives being introduced presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 15, 1943.

Resolved (if the Senate concur), That House Bill No. 105, Printer's No. 62, entitled:

An Act to reenact and amend the title of, and the act approved the first day of July, one thousand nine hundred and thirty-seven (P. L. 2611), entitled "An act authorizing political subdivisions, other than cities of the first class, to set-off delinquent taxes and municipal claims and penalties, interest, and cost due thereon, against claims and accounts due by such political subdivisions," extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 170, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 172, entitled:

An Act providing that the State of Pennsylvania may enter into a compact with any one or more of the States of Maine New Hampshire Massachusetts Connecticut Rhode Island New York New Jersey Delaware Maryland Virginia North Carolina South Carolina Georgia and Florida and with such other states as may join to promote the better utilization of the fisheries marine shell and anadromous of the Atlantic Seaboard and to create the Atlantic States Marine Fisheries Commission providing for the members of such commission from the State of Pennsylvania providing for the carrying out of said compact and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 209, entitled:

An Act to further amend section eleven (b) of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of oseopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating the requirements for license as an osteopathic surgeon.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 316, entitled:

An Act to add section six hundred ninety-nine and seven-tenths to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it unlawful to capture take or have it ones possession lobsters under a certain size.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 332, entitled:

An Act to amend section one thousand two hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the refund of certain moneys erroneously paid into the State Treasury for hunting license fees by former county treasurers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 377, entitled:

An Act abolishing the State Forests and Waters Fund in the State Treasury; providing for the payment of the moneys therein and all future moneys heretofore payable into such special fund into the General Fund; making the same available for all lawful expenditures; and making certain repeals.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 419, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-one thousand acres of land in the County of Franklin, Commonwealth of Pennsylvania, known as the Letterkenny Ordnance Depot, and ceding jurisdiction to the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 420, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Lancaster County, Pennsylvania, known as the Marietta Holding and Reconsignment Point, and ceding jurisdiction to the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 465, entitled:

An Act authorizing the Department of Welfare to enter into contracts for foodstuffs to supply State and State-aided institutions, and to purchase the same in open market, and to process the same for preservation; providing for transfers from appropriations made to such institutions in payment therefor; authorizing dehydrating plants and equipment at State institutions, and the use of inmate labor thereat; conferring power and imposing duties on the Department of Property and Supplies; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 473, entitled:

An Act to further amend sections four five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by limiting the power of an Authority to acquire the title to projects subject to the jurisdiction of the Pennsylvania Public Utility Commission authorizing an appeal to the court of common pleas from such action on the part of the Authority; and providing that Authority bonds shall be sold only at public sale after public notice by advertisement.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 497, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Navigation Commission of the Delaware River, to secure accommodations ashore for us by said commission in the conduct of the nautical school now located at the Port of Philadelphia; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 498, entitled:

An Act creating a commission to make a study and investigation of strip mining; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 500, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia, Pennsylvania, known as the Frankford Arsenal, and ceding jurisdiction to the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 516, entitled:

An Act authorizing during the continuance of the present war and for a period thereafter the employment of certain minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 534, entitled:

An Act to amend section four hundred thirty-seven and to further amend section four hundred thirty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," changing the amount of aid which the board of county commissioners may pay out of the county funds to the historical society of the county, and changing the qualifications of historical societies to receive county appropriations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 540, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Montgomery County, Pennsylvania, known as the United States Naval Air Station, Hatboro Willow Grove, Pennsylvania, and ceding jurisdiction to the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 544, entitled:

An Act to amend section two hundred fifty-six of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," giving fish wardens, while in uniform, power to stop boats, vehicles and conveyances for search and investigation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 545, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Cumberland County, Pennsylvania, for a supply depot, known as the United States Naval Supply Depot, Mechanicsburg, Pennsylvania, and ceding jurisdiction to the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 813, entitled:

An Act to amend sections three hundred ten and three hundred eleven of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for monthly returns and payment by issuing agents and requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 838, entitled:

An Act to further amend section four of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" by suspending under certain conditions the operation of certain provisions during the present war.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 841, entitled:

An Act to further amend section two hundred twenty-five of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES

Mr. HEYBURN. Mr. President, I move that the Senate do now return to the order of business of reports of committees.

Mr. MALLERY. Mr. President, I second the motion.
The motion was agreed to.

Mr. MALLERY, from the Committee on Municipal Government, reported as amended, House Bill No. 626, entitled:

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors where the Township has received in maintenance and improvement of its highways a reasonable quid pro quo for such contracts and to authorize ratify confirm and validate payments on such contracts by the Township and to provide that no Township Supervisor shall be subject to surcharge for payments heretofore made on any such contract.

Mr. FARRELL, from the Committee on Municipal Government, reported as committed, Senate Bill No. 427, entitled:

An Act to amend Sections 2501, 2504, 2505 and 2506 of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," providing for the payment of sewer assessments in monthly or quarterly instalments; regulating the filing of liens therefor and authorizing the filing of such liens after the time fixed by law shall have expired.

Mr. McGINNIS, from the Committee on Municipal Government, reported as amended, House Bill No. 279, entitled:

An Act to amend sections one two three six ten twenty-four and twenty-six of the act approved the fifth day of June one thousand nine hundred and forty-one (P. L. 84) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" by making said act applicable permanently to all boroughs incorporated towns and townships of the first and second class which maintain a police force making special provision in the case of appointments made during the present war and for a period thereafter and saving certain provisions of law from repeal.

Mr. THOMAS, from the Committee on Municipal Government, reported as committed, House Bill No. 595, entitled:

An Act to amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing becoming a nonresident of the State as a cause for forfeiture of rights under the police pension fund.

Mr. JAMES, from the Committee on Municipal Government, reported as committed, Senate Bill No. 532, entitled:

An Act to further amend the last paragraph of section five of the act approved the twelfth day of May, one thousand nine hundred eleven, (P. L. 295), entitled "A supplement to an act, entitled 'An act for the government of cities of the second class' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection, and disbursement of taxes and water-rents, or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for," requiring the board of water assessors to furnish information to departments of the city government.

Mr. WADE, from the Committee on Welfare, Public Assistance and Pensions, reported as amended, House Bill No. 134, entitled:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by providing that said act shall not apply to certain war veterans' organizations or the subordinate units thereof.

Mr. COLEMAN, from the Committee on Municipal Government reported as committed, Senate Bill No. 403, entitled:

An Act to further amend section three hundred and eight of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2017), enttiled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," providing for the issuance of bonds in accordance with the "Municipal Borrowing Law," changing the conditions for borrowing money for current expenses.

REPORT FROM CONFERENCE COMMITTEE ON SENATE BILL No. 133

Mr. LETZLER. Mr. President, on behalf of the committee of conference appointed to consider the difference between the House and the Senate on Senate Bill No. 133 I submit to th Chair report entitled:

An Act to further amend subsection (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law; providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground, and to underground passageways, gangways, airways, drifts, slopes, shafts, overcasts, and stoppings of mining operations

which will appear on Monday's Calendar.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 72, entitled:

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2045), entitled "The Support Law," prescribing the effect on other liens against property of an indigent person when a judgment is recovered for care and maintenance thereof, providing for other judgments and local taxes

House Bill No. 263, entitled:

An Act to amend section fifteen of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Reviews; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," requiring written notice to be given in certain cases to each taxable person whose assessment shall be changed at any triennial assessment.

House Bill No. 285, entitled:

An Act to further amend section one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended, "Elevator Regulation Law," by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith.

House Bill No. 355, entitled:

An Act to amend section five hundred thirty of the act, approved he first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," providing for the filing of the treasurer's bond.

House Bill No. 460, entitled:

An Act to add Section six to the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 600) entitled "Status of Public Officers and Employes in Military Service in Time of War or Contemplated War Act," saving to members of the Pennsylvania Motor Police Force, their right to increases in pay and certain advancements in rank.

House Bill No. 503, entitled:

An Act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau; prescribing the powers and duties of such bureau; requiring the registration with such bureau by land-owners of certain information relative to the location, owner-ship and transfer of title of real property located in such county; imposing certain additional duties upon the county surveyor, the sheriff and the recorder of deeds in such county; and providing penalties.

House Bill No. 561, entitled:

An Act to amend section two, of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 685), entitled "An act designating certain life insurance companies as limited life insurance companies, and further describing the powers thereof," by increasing the amount for which, under certain conditions, such companies may issue policies in the event of death from natural or accidental causes.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

BILL INTRODUCED AND REFERRED

Mr. JAMES. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JAMES read in place and presented to the Chair Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and maintenance of the Delaware division of the Pennsylvania Canal.

Which was committed to the Committee on Appropriations.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, I ask permission to interrogate the gentleman from Allegheny, Mr. Barr.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BARR. I will, Mr. President.

Mr. HEYBURN. I am wondering if the Senator from Allegheny, Mr. Barr, would have any objection to symbolic reading of bills reported from Committee for the first time.

Mr. BARR. I object, Mr. President.

Mr. HEYBURN. Mr. President, the Senator from Allegheny objects and I therefore will not move that bills reported from committee today be read for the first time.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous permission to address the Senate.

Mr. HEYBURN. Mr. President, I visited the two committee meetings being held and I find that the committee investigating municipal authorities will be in session for probably two hours more and also there is a sub-committee conferring with some departmental heads over their budget, which is necessary to complete the legislation. Of course, both meetings had been scheduled quite some time before this unhappy situation developed here.

I see no other alternative, Mr. President, than to take up the Calendar and move final passage bills over in order and also third reading bills.

BILLS ON FINAL PASSAGE OVER IN ORDER

Mr. HEYBURN. Mr. President, unless there is some bill some one thinks is necessary to have passed this week, I move that all bills on the Final Passage Calendar on the first and second page of today's Calendar, go over in their order until Monday.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 135, PRINTER'S No. 265, ON THIRD READING RECALLED FROM GOVERNOR, OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 135, Printer's No. 265, on third reading, recalled from the Governor, entitled:

An Act to amend section seven hundred sixteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animal and amending revising consolidating and changing the law relating thereto" authorizing the sale and purchase of hides of lawfully killed deer until under certain circumstances and making it unlawful to buy or sell raccoons for propagating purposes

go over in its order.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING OVER IN ORDER

Mr. HEYBURN. Mr. President, if there is no objection, I ask unanimous consent that all bills on the Third Reading Calendar go over in their order.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, I think I should give notice to committee chairmen that we will have to call off all lengthy committee meetings, and also public hearings, until we determine whether or not this filibuster is going to continue into next week. It is impossible to do business here with this filibuster, because of the length of the sessions, and there is just not time to hold committee meetings or public hearings.

Therefore, Mr. President, I suggest to all committee chairmen that, depending on whether or not this filibuster will continue next week, they will have to notify any interested groups in the state that there can be no public hearings.

PERMISSION TO ADDRESS SENATE

Mr. BARR asked and obtained unanimous consent to address the Senate.

Mr. BARR. Mr. President, I think that the Legislative Journal this week will prove that Senator Heyburn has made a misstatement. There have been more bills passed by both the House and the Senate this week than have been passed any previous three weeks of this session.

As far as committee meetings are concerned, I know that the gentleman from Delaware, Senator Heyburn, is using that as a subterfuge, and I think, as the record will show, we have done more work. I know the statement was made for the benefit of the press, but I am sure the press is aware of that also.

PERMISSION TO ADDRESS SENATE

Mr. CARR asked and obtained unanimous consent to address the Senate.

Mr. CARR. Mr. President, I would like to answer the assertion of the gentleman from Allegheny, Mr. Barr, concerning the amount of legislation that has come out this week. There is a certain time when the legislature has reached the point where bills start coming out of committees and are reported to the floor and action begins. That point was reached, regardless of the filibuster, and the bills have begun to come through in the regular way.

I am confident that if this thing had not happened we would have still more bills out this week than we have had, and I believe, Mr. President, the assertions that were made a day or two ago with regard to the cost per bill are based on an absolutely false premise. They say that each bill that came out cost so much because the cost of the session has been a certain amount, and they divide that by eighteen bills. That reasoning is utterly false. The entire time of this session has not been devoted to the production of those eighteen bills which have been enacted into law. We have considered hundreds of other bills, hundreds of them have been challenged in committee, hundreds of them will never come out for passage. The fact that those eighteen bills have been acted on makes them part of the legislation in which we participate here, and therefore to say that the cost of eighteen bills that were passed up until this week cost something like $60,000 per bill is a piece of false reasoning to becloud the issue here to a great extent. I think these things ought to be brought to the attention of the public, and therefore I am saying that a great deal of what has been said here is utterly outside the pale af fact.

PERMISSION TO ADDRESS SENATE

Mr. McGINNIS asked and obtained unanimous consent to address the Senate.

Mr. McGINNIS. Mr. President, it is quite evident today that those on the majority side are not desirous of taking up third reading bills because they do not have enough votes here to pass a good bill.

I am willing to sit down with the Majority Floor Leader, and I am sure there are some bills on this Calendar that are not controversial and that we can pass.

PERMISSION TO ADDRESS SENATE

Mr. HEYBURN asked and obtained unanimous consent to address the Senate.

Mr. HEYBURN. Mr. President, I am perfectly willing to sit down with the Senator from Allegheny, Mr. McGinnis, or with any other Senator, but I have been told by different Democratic Senators that they are desirous of attending a meeting in Johnstown at seven o'clock. I am merely trying to comply with their wishes.

Mr. President, if they do not want to go to Johnstown, that is all right with me; I can stay here until tomorrow.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, this morning I reminded the Majority Floor Leader, Mr. Heyburn, that previous to coming down to Harrisburg this week I had made plans to attend a banquet at Johnstown at seven o'clock tonight, having no knowledge, of course, of meeting such conditions as exist here now, and I have invited en route to their homes a number of my colleagues, who have accepted my invitation.

Mr. President, if we had asked for leaves of absence you would have had less than a quorum here, so Mr. Heyburn very kindly said to me that he would try to arrange the session in such a manner that we could leave here about three o'clock.

I trust that my colleagues on the right will consent to come to some truce or some agreement, or make some arrangements that will be agreeable to all the members, so that we can get together and adjourn in time so that we might get back to Johnstown by seven o'clock this evening.

PERMISSION TO ADDRESS SENATE

Mr. McGINNIS asked and obtained unanimous consent to address the Senate.

Mr. McGINNIS. Mr. President, I did not know anything about the understanding between Senator Heyburn and Senator Haluska, and I agree to and approve that plan. I am invited to this banquet tonight; however, while we are here, I feel that we ought to pass some bills. I did not know just what time had been agreed on to adjourn today, but if Senator Haluska feels that we ought to leave here by three o'clock, that is perfectly satisfactory to me.

PERMISSION TO ADDRESS SENATE

Mr. WALKER asked and obtained unanimous consent to address the Senate.

Mr. WALKER. Mr. President, I desire to interrogate the gentleman from Allegheny, Mr. McGinnis.

The PRESIDENT. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. McGINNIS. I will, Mr. President.

Mr. WALKER. Mr. President, I desire to ask the gentleman from Allegheny whether the comment he made previously with regard to the attitude of the Republican side of the Senate was made without an understanding of the arrangement existing between Mr. Heyburn and Mr. Haluska.

Mr. McGINNIS. Mr. President, in view of the tactics of my good friend from Allegheny, Senator Walker, in tying up this Senate for a couple of hours today on roll calls, I am more convinced than ever that it was a studied effort over there to keep this session going here until three o'clock without doing anything on third reading bills.

Mr. WALKER. When we vote for adjournment, Mr. President, I want to be recorded in the negative.

ADJOURNMENT

Mr. HALUSKA. Mr. President, due to the conversation that has taken place between the Republican Floor Leader and myself, I now move that the Senate do now adjourn until four o'clock, Monday, April 19, 1943.

Mr. HEYBURN. Mr. President, before I second that motion, I would like to have my colleagues satisfied.

Mr. President, I do not want to quarrel with any of my colleagues, on either side, and maybe the best thing would be for us to go home and have a couple of night's sleep. Perhaps the filibuster will be over on Monday—I hope so—because it is not doing anybody any good, and I am perfectly willing to go home.

Therefore, Mr. President, I second the motion of the gentleman from Cambria, Mr. Haluska, that the Senate do now adjourn until Monday, at four o'clock, p. m.

Mr. GELTZ. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. GELTZ and were as follows, viz:

YEAS—21

Bowers,
Carr,
Coleman,
Crowe,
Deitrick,
Ealy,
Farrell,
Gourley,
Haluska,
Heyburn,
Holland,
Homsher,
James,
Letzler,
Mallery,
McGinnis,
Ruth,
Scarlett,
Wade,
Wilson, H. I.,
Woodring,

NAYS—8

Barr,
Geltz,
McQuiddy,
Stiefel,
Tallman,
Thomas,
Walker,
Wilson, T. B.,

So the question was determined in the affirmative.

The Senate adjourned at 2:55 o'clock p. m. Eastern War Time until Monday, April 19, 1943, at 4:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

THURSDAY, April 15, 1943

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O God of men and nations, we worship Thee as the sons of men and as Thy children. We thank Thee for Thy lovingkindness and tender mercies. Forgive us wherein we have failed Thee in Thy purposes for us. So enlarge our minds, we pray Thee, that our love may be a world-feeling, and our sorrow a world-grief, until Thy light and Thy truth shine in all the dark places of the world, and Thy saving love become the joy of all men, in the name of Jesus, our Master. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, April 14, 1943.

The Clerk proceeded to read the Journal of Wednesday, April 14, 1943, when, on motion of Mr. McSURDY, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Mr. McATEE. HOUSE BILL No. 1098.

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and refurnishing the Daniel Boone Homestead.

Referred to the Committee on Appropriations.

By Mr. ERB. HOUSE BILL No. 1099.

An Act to further amend section twenty-three of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation', approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine", by imposing a tax upon the gross receipts of companies, limited partnerships, associations, joint-stock associations, copartnerhips and persons engaged in the business of furnishing or transporting natural or manufactured gas.

Referred to the Committee on Ways and Means.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 25.

An Act making an appropriation to the Monongahela Memorial Hospital Association of Monongahela City Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 71.

A Joint Resolution proposing an amendment to section four article two of the Constitution of the Commonwealth of Pennsylvania providing for annual sessions of the General Assembly salary of members and annual general appropriations.

Referred to the Committee on Constitutional Amendments.

SENATE BILL No. 86.

An Act to amend paragraph (f) of section two thousand three and paragraph (e) of section two thousand five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employees of certain departments boards and commissions shall be determined by extending the authority of the Department of Highways to rent and sell certain equipment and material

Referred to the Committee on Highways.

SENATE BILL No. 177.

An Act to amend section three hundred one of the act, approved the fifth day of December, one thousand nine hundred and thirty-six (1937, P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," providing for the payment of contributions by employers in accordance with an experience rating system; and providing for and regulating such experience rating system and the terms and procedure to effectuate the same

Referred to the Committee on Workmen's Compensation.

SENATE BILL No. 208.

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court.

Referred to the Committee on Judiciary General.

SENATE BILL No. 344.

An Act to further amend clause (c) of section three of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," including persons subject to the National Labor Relations Act in the definition of "employer" and defining the term "labor organization."

Referred to the Committee on Labor.

SENATE BILL No. 485.

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

Referred to the Committee on Workmen's Compensation.

SENATE BILL No. 486.

An Act to amend section six of the act approved the fifth day of May one thousand nine hundred eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring upon said county court jurisdiction in appeals from the Workmen's Compensation Board.

Referred to the Committee on Workmen's Compensation.

SENATE BILL No. 487.

An Act to amend section three of the act approved the tenth day of June one thousand nine hundred thirty-one (P. L. 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" by relaxing during the continuance of the present war the educational requirements for applicants to take examinations for undertakers' licenses if such applicants have completed ten or more years as assistants to duly licensed undertakers.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 502.

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County.

Referred to the Committee on State Government.

SENATE BILL No. 506.

An Act to further amend section one thousand thirty-three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' extending the provisions of such section for a further period of two years.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 515.

An Act making an appropriation to the Department of Highways out of the Motor License Fund for the purpose of rebuilding certain bridges in the County of Wayne destroyed by flood, in said county, during the month of May, one thousand nine hundred forty-two.

Referred to the Committee on Appropriations.

SENATE BILL No. 521.

An Act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States.

Referred to the Committee on State Government.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. THRASHER.

(Concurrent) RESOLUTION No. 61.

In the House of Representatives, April 14, 1943.

For many years this country and the world at large has observed May first as May Day and at different places the observance has been marked by various kinds of celebrations.

At times these celebrations have resulted in demonstrations against organized government.

In 1932 the American Legion in Fayette County inaugurated a new kind of observance of the day by staging a parade of Americanism which has grown each year into an event of first importance.

The participation in the celebration of this day by patriotic societies, veterans' organizations and other organizations cannot help but make it throughout the Commonwealth a day to awaken new pride in our American institutions, therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania urges the setting aside of May first as Americanism Day and urges upon all patriotic veteran fraternal and civic organizations the planning of its celebration in such a manner as will bring to the people of the Commonwealth a full realization of the benefits and privileges and blessings that come to them through the continuance of our American form of government, and be it further

Resolved, That the Governor of the Commonwealth is hereby urged to issue his proclamation further urging the people of the Commonwealth to join in a real American celebration of Americanism Day.

Referred to the Committee on Rules.

By Mr. HOCKE. (Concurrent) RESOLUTION No. 62.

In the House of Representatives, April 14, 1943.

Whereas, Ever since the adoption of the apportionment acts of May 10, 1921 (P. L. 449) and May 21, 1921 (P. L. 455), the General Assembly has failed to agree upon a suitable or valid basis of reapportioning the State into senatorial and representative districts and, accordingly, has failed to enact valid reapportionment legislation based upon the last United States decennial census, as required by Article II, Section 18 of the Constitution of the Commonwealth of Pennsylvania, therefore be it

Resolved (if the Senate concur), That the Joint State Government Commission shall investigate and consider the matters of senatorial and representative reapportionment, and shall submit to the General Assembly, at its next regular session, an equitable plan for such reapportionment, based upon the population of the various portions of the Commonwealth as indicated by the last United States decennial census.

Referred to the Committee on Rules.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 71, 105, 193 and 551

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 71, Printer's No. 54, entitled "An Act to amend section three of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 754) entitled 'An act providing for the survey construction reconstruction improvement and maintenance of an Industrial State Highway between the cities of Chester and Philadelphia and making the same a part of the system of State Highways providing for the taking of certain roads and of certain private property therefor under the power of eminent domain and the payment of damages by certain counties and imposing certain powers and duties upon the Highway Commissioner and county commissioners' providing for ascertaining damages for the taking of private property and payment thereof in the same manner as provided by law in the case of State Highways."

I have the honor to inform you that I have this day approved and signed House Bill No. 105, Printer's No. 62, entitled "An Act to reenact and amend the title of and the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2611) entitled 'An act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions' extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivision."

I have the honor to inform you that I have this day approved and signed House Bill No. 193, Printer's No. 103, entitled "An Act to amend Section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled 'An act to consolidate amend and revise the penal laws of the Commonwealth' permitting persons under the age of eighteen years to be present in bowling alleys."

I have the honor to inform you that I have this day approved and signed House Bill No. 551, printer's No. 181, entitled "An act to amend section four of the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2821), entitled 'An act to regulate the sale, and advertising for sale, of goods, wares, and merchandise purporting to be an insurance bankruptcy, mortgage, insolvent, assignees, receivers, trustees, removal, or closing-out sale, or sale of goods damaged by fire, smoke, or water, in cities and certain boroughs of this Commonwealth; and to prevent fraudulent practices in connection therewith, and providing penalties for the violation thereof, and for the imposition of license fees for permission to conduct the same,' by forbidding the continuation of the same business at the same location after the expiration of a license issued for conducting a removal or closing-out sale."

EDWARD MARTIN.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Kline for Mr. PAUL L. WAGNER for today's session.

Mr. O'CONNOR for himself and Mr. OWENS for the remainder of the week after 2:30 o'clock today.

Mr. Barrett for Mr. BOIES for the remainder of the week.

Mr. O'Brien for Mr. FLYNN for the remainder of the week because of illness in the family.

Mr. Fullerton for Mr. BRICE.

Mr. THOMPSON for himself for the remainder of the week.

Mr. Scanlon for Mr. BOORY and Mr. GREEN for the remainder of the week because of illness.

Mr. HOGGARD for himself after 5 o'clock today and for next week.

Mr. Modell for Mr. SKALE and Mr. LEVY for the remainder of the week.

REPORTS FROM COMMITTEES

Mr. ELDER from the Committee on Military Affairs, reported as committed, House Bill No. 173, entitled:

An Act to amend the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further clarifying the term "deceased service persons"; and changing the provisions for the burial of deceased service persons and their widows, and for markers and headstones on their graves, and changing the name of the veterans' grave registrar to director of veterans' affairs.

Mr. WORLEY from the Committee on Judiciary Special, reported as committed, House Bill No. 585, entitled:

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act supplementary to an act, entitled 'An act to consolidate revise and amend the penal laws of this commonwealth,' approved the thirty-first day of March, Anno Domini one thousand eight hundred and sixty," by fixing the time for the commencement and prosecution of indictments for felonies committed by certain persons.

Mr. TIEMANN from the Committee on Mines and Mining, reported as committed, House Bill No. 842, entitled:

An Act to amend section one, to further amend section five, and to amend section six of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 551), entitled "An act prohibiting the employment of miners, as herein defined, in the bituminous coal mines, unless certificated by a miners' examining board; providing for the appointment of such boards, and defining their powers and duties; providing penalties; and making an appropriation," by increasing the number of apprentice miners permitted to work with one miner; redefining the word "miner"; and reducing the number of years of experience necessary to qualify an apprentice to take examination for certificate.

Mr. CHERVENAK from the Committee on Counties, reported as committed, House Bill No. 862, entitled:

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the sixth class; imposing certain charges on counties, and prescribing penalties.

Mr. LEISEY from the Committee on Townships, reported as committed, House Bill No. 1039, entitled:

An Act to further amend section five hundred forty-seven of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by further regulating publication of the auditors' report.

Mr. DEPUY from the Committee on Apportionment, reported as committed, Senate Bill No. 272, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

Mr. WALLIN from the Committee on Education, reported as committed, Senate Bill No. 313, entitled:

An Act authorizing the Department of Public Instruction to act as agent for the several school districts and vocation school districts in the purchase, without bids, and distribution among such districts of material, supplies and equipment subject to priorities and on which prices have been stabilized, to be used in vocational education of workers on war work; and validating such action heretofore taken.

Mr. EWING from the Committee on Mines and Mining, reported as committed, Senate Bill No. 472, entitled:

An Act providing that every mine foreman assistant mine foreman and fire boss under the Bituminous Mining Laws and the Anthracite Mining Laws of the Commonwealth represent and are officers of the Commonwealth in the mines in which employed for the suspension or cancellation of the certificates of such officials as shall hold same and for the disqualification of such as are uncertificated by the Secretary of Mines after or prior to hearing for failure or refusal to perform their respective duties defining the procedure in such hearing and the powers of the Secretary of Mines with respect thereto and providing for a review of his decisions by the court of common pleas of Dauphin County and the Superior Court providing for reexamination by the examining board of any person whose certificate has been cancelled and for reinstatement of such as are uncertificated and prohibiting the employment by any operator of any person not possessing the requisite certificate or whose certificate is suspended or who has been disqualified.

Mr. CORDIER from the Committee on Military Affairs, reported as amended, House Bill No. 171, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," further clarifying the term "deceased service persons"; changing the provisions for the burial of deceased service persons and their widows, and for markers and headstones on their graves; changing the name of the veterans' grave registrar to director of veterans' affairs; and prescribing his duties.

Mr. GREENWOOD from the Committee on Apportionment, reported as amended, House Bill No. 909, entitled:

An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution.

Mr. BRETHERICK from the Committee on Banking, reported as amended Senate Bill No. 211, entitled:

An Act to further amend section nine hundred eight subsection A of section one thousand six and subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments, commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the amount and maintenance by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both.

Mr. VAN ALLSBURG from the Committee on Townships, re-reported as committed, House Bill No. 358, entitled:

An Act to amend section one thousand one hundred fifty-six of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," providing for the regulation of encroachments on township highways and the issuing of permits therefor by the township supervisors instead of by the Department of Highways of the Commonwealth, and for the payment of permit fees into the township treasury.

RESOLUTION

Mr. WORLEY asked and obtained unanimous consent to introduce a resolution.

The SPEAKER. This is not a privileged resolution and will be filed with the Clerk under the Rules.

PERMISSION TO ADDRESS HOUSE

Mr. WORLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, the resolution I have offered is an amendment to Section 4, Article III of the Constitution of the Commonwealth of Pennsylvania, and is co-sponsored by Mr. Brown and myself, to cure a situation that has obviously outlived its usefulness and is no more practical in legislative proceedings in this Commonwealth. I would like to yield to my colleague, Mr. Brown, at this time.

Mr. BROWN. Mr. Speaker, the gentleman from Adams, Mr. Worley, and myself, have been thinking along the same lines. In order that we might save the time of the House we have joined in this joint resolution. We hope that it will be expeditiously reported to the House and sent to the Senate before the end of this session. We are of the opinion that it will cure a situation that has outlived its usefulness in that we are changing Article III, section 4 of the Constitution which read as follows: "every bill shall be read at length on three different days." We are only changing the section to read as follows: "every bill shall be considered and agreed to on three different days in each House."

We believe with Thomas Jefferson that the Constitution was made for the living not for the dead, and in our Constitution, our democratic form of government, any section that has obviously outlived its usefulness may be changed by the will of the people. We believe that the people will be in accord with the change we ask this House to make as to this section.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 14, 1943.

Resolved (if the Senate concur), That House Bill No. 694, Printer's No. 131, entitled:

An Act to amend sections one five seven nine and twelve and to repeal section six of the act approved the twenty-seventh day of May one thousand nine hundred and thirty-seven (P. L. 901) entitled "An act for the protection of producers of farm produce providing for the licensing the bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties" by changing definitions the period of the license and the fee therefor and the contents of records eliminating the requirement for a bond and adding to the reasons for refusing licenses

be recalled from the Governor for the purpose of amendment.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 15, 1943.

Resolved (if the Senate concur), that House Bill No. 644, Printer's No. 162, entitled "An act to further amend sections five hundred and eleven and six hundred and ten of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005), entitled 'An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners. counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds,' authorizing the issuance of special permits for the operation upon the highways of oversize and overweight quarry equipment and machinery and fixing fees thereof."

be recalled from the Governor for the purpose of amendment

RESOLUTION

RECALLING HOUSE BILL No. 105 FROM THE GOVERNOR

Messrs. BENTLEY and FLEMING offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 15, 1943.

Resolved (if the Senate concur), That House Bill No. 105, Printer's No. 62, entitled "An act to reenact and amend the title of and the act approved the first day of July one thousand nine hundred and thirty-seven (P. L. 2611) entitled 'An act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions' extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, I think that the time is appropriate to clear up certain misapprehensions that may be in the public mind concerning the amount of work which is being accomplished by this House.

An analysis of the work accomplished this week, as compared to the amount of work done in the previous week, makes a very interesting comparison. During the week of April 5, 1943 when there was no so-called filibuster in progress, there were approximately 100 bills on the third reading calendar. Of these bills, action was taken on 53, which resulted in 49 bills being passed and 4 bills being defeated. It is interesting to note that of these bills, only two were Senate bills which passed on to the Governor for signature, while one Senate bill was defeated.

In this week of the so-called filibuster, we have had the opposite effect of the commonly accepted impression of a filibuster, in that there have been no lengthy speeches, no maze of parliamentary maneuvering, but straightforward action within the Constitution and not in defiance of the Constitution. It is true we have all worked harder, but we should not complain about that. The record for this week up to this moment, exclusive of such third reading bills that may be passed today, shows that approximately 76 bills appeared on the third reading calendar and that action was taken on 46 bills. Forty-five of these measures were passed and one measure was defeated. There were no Senate bills acted on to be sent to the Governor for his approval.

Furthermore, during this week a great portion of the budget program of the administration was passed together with the first real war measure, House Bill No. 1082, which gives the Governor extraordinary war time powers.

This, Mr. Speaker, is the record of this week. In the face of it, I can find no reason to complain. The people of the Commonwealth were not let down nor was progress hindered.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 5, 1943.

Carbon County was created by an act of Assembly of March 13, 1843 more than one hundred years after the arrival of a group of Moravians in search of a haven of safety.

From the time of the arrival of that interpid band of white men and women who later survived the great Gnaden Hutton Massacre in 1755 the territory they settled has prospered.

In this territory Benjamin Franklin, recognizing it as an outer defense of Philadelphia, personally supervised the building of Fort Franklin in what is now Weissport as a protection and a barrier against the Indians of the North.

In 1791 Philip Ginter discovered anthracite coal and started one of the great industries of the Commonwealth and which led to the building of the Lehigh Valley Railroad in 1855 by Asa Packer who later built and heavily endowed Lehigh University.

From this county came men who have contributed greatly to the development of the Commonwealth. They marched and endured with Washington, their sons answered the call of Abraham Lincoln, and fought in France and their grandsons and great grandsons are now scattered over the battlefields of Europe and Asia and are demonstrating the same bravery and fortitude that marked those heroic founders of this county.

On Monday, March 8, 1943, the Carbon County Historical Society petitioned the Court of Common Pleas of Carbon County to hold a special session of the court on Saturday, March 13, 1943, in commemoration of the one hundredth anniversary of the founding of Carbon County.

The court granted the prayer of the petition and on March 13, 1943, a special session of the court was held in the Court House with Judge James C. McCready presiding.

Fred Brenckman, formerly of Hudsondale, representative of the National Grange and author of the History of Carbon County was the principal speaker. Congressman Francis E. Walter, Judge Samuel Shull, Monroe County, Judge Frank McClusky, Northampton County, State Senator M. F. Crowe, Hon. Elmer Holmes of the House of Representatives and others also spoke.

It was an impressive, instructive and successful celebration of an important happening and those responsible for the preparation of the program and the carrying out of the plans are deserving of great credit. It was an occasion of which some permanent record should be made; therefore be it

Resolved (if the Senate concur), That the General Assembly extends to the people of Carbon County its congratulations upon the successful celebration of the one hundreth anniversary of the founding of their county, it congratulates also those who planned and carried out the celebration and those who took part in it; and be it further

Resolved, That in order to make a permanent record of the occasion it is ordered that this resolution be printed in the Legislative Journal and that a copy thereof be forwarded by the Chief Clerk of the House of Representatives to the Honorable James C. McCready President Judge of the Court of Common Pleas of Carbon County.

CONCURRENCE IN HOUSE RESOLUTION No. 53

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, April 1, 1943.

Each Easter Season in this enlightened country thousands of live chicks and ducklings and young rabbits are sold for temporary Easter pets for children who know nothing about and care less for their proper feeding and care

Most of these unfortunate chicks and ducklings and rabbits die within a few weeks of starvation or misuse or plain cruelty

Each one of these chicks or ducklings or rabbits if properly cared for would have grown to maturity and in time would have assisted in reducing the food scarcity existing in the nation

The sale of these live fowl and animals has become more than a matter of cruelty and now takes its place as a means of hindering and interfering with the prosecution of the war effort by wasting needed food and increasing the scarcity of meat

It is now a matter more for the attention and action of the State Council of Defense than one for local societies for the prevention of cruelty to animals therefor be it

Resolved (if the Senate concur), That the attention of the State Council of Defense is hereby called to the situation created by the sale of chicks ducklings and young rabbits during the Easter Season and the Council is hereby respectfully requested to request all merchants farmers and dealers in poultry and other live stock to immediately discontinue the practice of selling such chicks ducklings and rabbits and to publicize its actions in order that the public might be informed of its contribution to the scarcity of food in the purchase of such live stock and be it further

Resolved, That the Chief Clerk of the House shall transmit a copy of this resolution to the Chairman of the State Council of Defense

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 112.

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 72.

An Act to further amend subsection (a) of section four of the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2045) entitled "An act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure" providing for the divestiture of judgments obtained thereunder by tax sales heretofore or hereafter made.

HOUSE BILL No. 263.

An Act to amend section fifteen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" requiring written notice to be given in certain cases to each taxable person whose assessment shall be changed at any triennial assessment

HOUSE BILL No. 285.

An Act to further amend section one of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1518), entitled, as amended, "An act regulating the construction, equipment, maintenance, operation and inspection of elevators; granting certain authority to and imposing certain duties upon the Department of Labor and Industry; providing fees for inspection of elevators, certificates of operation, and approval of plans; providing penalties for violations of this act; and repealing all acts or parts of acts inconsistent with this act," by exempting from the provisions of said act elevators used in the coal mines of this Commonwealth and plants connected therewith.

HOUSE BILL No. 355.

An Act to amend section five hundred thirty of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the filing of the treasurer's bond

HOUSE BILL No. 460.

An Act to add Section six to the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 600), entitled "An act providing that appointive officers and employes, employed by the Commonwealth of Pennsylvania in its civil service, or by any department, bureau, commission, or office thereof, or by any county, municipality, township, or school district, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment, enrollment, or draft in the military or naval service of the United States or any branch or unit thereof, in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy; directing that one-half of the salaries or wages of such officers or employes as have dependent wives, children, or parents, and not exceeding two thousand dollars per annum, be paid during the term of their service in the Army or Navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes, respectively, and providing for the compensation of such substitutes" saving to members of the Pennsylvania Motor Police Force, their right to increases in pay and certain advancements in rank.

HOUSE BILL No. 503.

An Act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau prescribing the powers and duties of such bureau requiring the registration with such bureau by landowners of certain information relative to the location ownership and transfer of title of real property located in such county imposing certain additional duties upon the county surveyor the sheriff and the recorder of deeds in such county and providing penalties

HOUSE BILL No. 561.

An Act to amend section two of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 685) entitled "An act designating certain life insurance companies as limited life insurance companies and further describing the powers thereof" by increasing the amount for which under certain conditions such companies may issue policies in the event of death from natural or accidental causes

SENATE BILL No. 112.

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILLS READ AT LENGTH

Mr. MODELL. Mr. Speaker, in accordance with the Constitutional provision I request that all bills be read at length.

BILLS ON FIRST READING

BILLS PASSED OVER

There being no objection

Senate Bill No. 48, Printer's No. 163;

Senate Bill No. 49, Printer's No. 164;

Senate Bill No. 240, Printer's No. 132;

Senate Bill No. 347, Printer's No. 172;

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 341, entitled:

An Act abating the penalties and interest on certain unpaid delinquent county, city, borough, town, township, school district, poor district and county institution district taxes and on municipal liens; and providing for the publication at the cost of the county, of a notice of the provisions of this act.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 481, entitled:

An Act to further amend sections three hundred twenty and three hundred twenty-three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising amending and consolidating the laws relating thereto," by providing for retirement allowances to all county employes who are dismissed after having not less than twenty years service.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 710, entitled:

An Act providing for the equalization of salaries for tipstaves in the courts of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace, county court of Allegheny County and orphans courts, in counties of the second class.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 202, Printer's No. 54.
Senate Bill No. 238, Printer's No. 176.
Senate Bill No. 295, Printer's No. 96.
Senate Bill No. 298, Printer's No. 115.

were passed over at the request of the SPEAKER.

RESOLUTION

RECALLING HOUSE BILL No. 462 FROM THE GOVERNOR

Mr. CHARLES H. BRUNNER, Jr. offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 15, 1943.

Resolved (if the Senate concur), that House Bill No. 462, Printer's No. 140, entitled "An act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learners permit examination or additional fee and while in such service the operation of motor vehicles without operator's license or motor vehicle registrations and the temporary suspension of existing laws requiring the same," be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Warren, Mr. Muir, to preside.

MR. MUIR IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 444, entitled:

An Act to further amend sections two thousand six hundred three and two thousand six hundred twenty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by authorizing school districts of the third and fourth classes in certain cases to employ certified public accountants to audit the school finances in lieu of the elected auditors and providing as to the powers duties and compensation of the certified public accountants so employed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 758, entitled:

An Act to further amend section fifty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the Board of Fish Commissioners to adopt certain rules and regulations governing the taking of fish by trolling from moving boats, electrically propelled or propelled by internal combustion motors, and making it unlawful to engage in such trolling in violation of the rules and regulations thus adopted.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 828, entitled:

An Act to further amend section one and paragraphs (a) and (b) of section three and sections four and seven and amend section five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definitions of "week" and "day" and by increasing the hours of labor and temporarily suspending certain restrictions on employment.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 873, entitled:

An Act to amend section one and further amend section four of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return ad recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the Sttae Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions, thereof and repealing all acts or parts of acts inconsistent therewith" by changing the definition of week and by increasing the working hours of minors between the ages of sixteen and eighteen.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 37, Printer's No. 259.

Senate Bill No. 39, Printer's No. 258.

were passed over at the request of the SPEAKER pro tem.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 643, entitled:

An Act to amend clause (e) of section six and section seven of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and for the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municpial officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by increasing the maximum compensation to be paid to the chief clerk and to counsel for the commission.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 991, entitled:

An Act to amend article thirty-one of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the laws relating thereto," by adding thereto section 3210.1; providing for exonerations of sewer assessments and the satisfaction of sewer liens and the discharge of certain properties covered thereby.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Warren, Mr. Muir, for presiding.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 15, 1943.

Resolved (if the Senate concur), That House Bill No. 462, Printer's No. 140, entitled "An act authorizing in certain cases the renewal of old motor vehicle operators' licenses for persons honorably discharged from the armed forces of the United States or from any women's organization officially connected therewith without a learner's permit examination or additional fee and while in such service the operation of motor vehicles without operator's license or motor vehicle registrations and the temporary suspension of existing laws requiring the same," be recalled from the Governor for the purpose of further consideration.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 740, entitled:

An Act placing corporations operating cemeteries and burial grounds under the control of the Department of Banking; authorizing said Department to make examinations of the affairs of such corporations at the cost of such corporation and in certain cases, with the approval of the Department of Justice, to take over and operate the same; and imposing certain duties on the court of common pleas.

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. ALSPACH offered the following amendments:

Amend Sec. 2, page 2, line 17, by striking out the word "annual."

Amend Sec. 2, page 2, line 17, by inserting after the word "examination" the following: "at least once every two years."

They were agreed to.

The section was agreed to as amended.

The third, fourth, fifth, sixth, seventh and eighth sections and title were separately read and agreed to.

And said bill having been read at length the second time, and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 281, Printers No. 135;

Senate Bill No. 296, Printer's No. 95;

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 609, entitled:

An Act to further amend sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 20, Printer's No. 123, was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 596, entitled:

An Act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 845, entitled:

An Act to amend sections six hundred seventeen and six hundred twenty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by removing certain restrictions as to the location of contagious disease hospitals, and authorizing counties to join with any other municipality or hospital in establishing a joint contagious disease hospital.

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 26, entitled:

An Act authorizing all counties, cities, boroughs, incorporated towns, townships and institution districts, to place their respective officers and employes in the State Employes' Retirement Association; prescribing the procedure to be followed; and authorizing a special tax to pay the expenses incident thereto; placing certain duties upon the State Treasurer, and the fiscal officers of the said municipal units; prohibiting the future establishment of local pension or retirement systems; and providing in certain cases for the discontinuance of existing ones.

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 150, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," excluding services of real estate salesmen and real estate brokers and unsalaried newspaper correspondents from the definition of "employment."

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 156, entitled:

An Act to amend section three hundred two of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," exempting for the duration of the present war, any persons in the armed forces from the payment of a fee to the Commonwealth for resident hunting licenses.

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 195, entitled:

An Act relating to assessment of real estate for taxation in counties of the second class.

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. HANNON. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties for the purpose of further study and possible amendment.
On the question,
Will the House agree to the motion?
Mr. BENTLEY. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Hannon.
The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?
Mr. HANNON. I shall, Mr. Speaker.
Mr. BENTLEY. Mr. Speaker, may I ask the gentleman for what purpose the bill is to be recommitted?

Mr. HANNON. Mr. Speaker, for further study and possible amendment.

Mr. BENTLEY. Mr. Speaker, I would ask the gentleman if he is aware of the amount of tax revenues that would be lost if this bill were enacted into law in the county of Allegheny?

Mr. HANNON. Mr. Speaker, my motion is to recommit. The gentleman from Allegheny, Mr. Bentley, wants to speak on the merits of the bill.

The SPEAKER. The merits of the bill cannot be debated on a motion to recommit. The gentleman will confine his remarks to the motion to recommit.

Mr. BENTLEY. Mr. Speaker, I have no further interrogation of the gentleman. I would like however to speak on the motion to recommit.

The SPEAKER. The gentleman will proceed.

Mr. BENTLEY. Mr. Speaker, House Bill 195 is a bill which does away with a law of more than a century's standing, a law which permits the County of Allegheny or the municipalities within it to levy a tax upon mill and mining machinery within the boundaries of the county. Last week the gentleman from Allegheny, Mr. Hannon, delivered himself of a statement on what he chose to call "squandermania." This bill, Mr. Speaker, is a product of another type of approach. I choose to call it "humbuggia." Humbuggia is not a city, it is not a county, it is not a state except that it exists in a state of mind. It consists of stumping the county, calling together tax-payers for different meetings on real estate taxes, insisting to these people that you are in favor of reducing real estate taxes, and then introducing bills such as this, the necessary result of which is inevitably to increase real estate taxes.

House Bill 195 should not be recommitted. It should be killed on the floor of the House. A careful study of the bill has been made by persons in Allegheny County who have been intrusted by the tax-payers with the duty of levying taxes. They have compiled, and when I say "they" I mean not alone the County Commissioners of Allegheny County but the Representatives—

POINT OF ORDER

Mr. AUKER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Blair will state his point of order.

Mr. AUKER. Mr. Speaker, I have been waiting and listening very patiently for the gentleman from Allegheny to speak upon the motion to recommit. To my mind and to my listening he has only mentioned that once. He has been deliberately debating the merits of the bill and I would ask him, Mr. Speaker, to limit his debate to the motion.

The SPEAKER. The Chair must sustain the point of order.

The Chair will read a decision so that it may be clearly understood by the gentleman from Allegheny since the Chair is of the opinion that the gentleman has been discussing the merits of the bill.

> When a motion to recommit is made it stops debate on the main question and the debate is limited to the propriety of committing the bill. It has been uniformly held by former Speakers of this House that the merits of the main question cannot be debated when a motion to recommit is before the House.
>
> Rule 54 of the House specifically shuts out the original question when a motion to recommit is made.
>
> Rule 15 of the House provides that a motion to recommit is privileged and interrupts the question before the House. The motion to recommit must therefore be first decided by the House before consideration on debate of the main question is resumed.

Will the gentleman kindly confine his remarks strictly to the motion to recommit?

Mr. BENTLEY. I will proceed, Mr. Speaker, under the Chair's ruling. I wish merely to state to the Members of the House that no amount of study, no number of amendments, nothing added or taken away from this bill can make it such a bill as should properly pass this House.

I, therefore, oppose the motion to recommit and the bill should be killed on the floor of this House and given a decent funeral.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 364, entitled:

An Act to amend the title and to further amend sections one two and three of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" giving each political subdivision having tax or municipal claims against any such real property the right to petition court for a compromise agreement or sale authorized by the act and extending the time for the holding of a hearing thereon

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 501, entitled:

An Act regulating the lien of judgments; prescribing the procedure for the revival of judgments, and for the continuance of the lien thereof; and repealing certain acts and parts of acts.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 518, entitled:

An Act to amend section one thousand seven hundred twelve of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania; together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," prescribing the course in the history of the United States to be taught in high schools.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 578, entitled:

An Act relating to chattel mortgages on livestock, poultry, farm machinery, farm equipment and crops, grown, growing or to be grown, designating the operation and effect of the lien of such mortgages; providing for the filing, indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees; providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states; regulating the assignment, release, satisfaction and extension of the lien of such mortgages; prescribing methods of foreclosure; defining defaults and violations; and fixing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

PERMISSON TO ADDRESS HOUSE

Mr. LICHTENWALTER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would just like to make a brief statement. Yesterday, I believe, I heard a statement from the minority as to committee meetings not being announced on Monday night. I believe the word "plot" was used and a statement was made to the effect that we blacked out the minority as far as any consideration of bills in those committees was concerned.

I want to say that this bill, together with the bill found on page 23 of the calendar today sponsored by Mr. Skale were two Democratic bills that were reported out of committee in the committee meetings of that particular day when the minority was "blacked out." When you are charging that there was a plot on the part of the majority, you must bear in mind that they were holding committee meetings at that very time and reported out Democratic bills.

PERMISSON TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, may I reply to the gentleman from Lehigh, Mr. Lichtenwalter, by stating that when I made my charge or statement the other day I specifically exempted the Committee on Judiciary General and the Committee on Education for the reason that those committees, as far back as I can remember, and certainly in this session, by agreement had at their organization meeting at the beginning of the session agreed, as all the members knew, had stated meetings of those committees at certain times, on each Tuesday of the session, and I did not say, when speaking of those committees that there was any plot to black out the Democrats from consideration of bills in those committees, and these two bills referred to come from the Committee on Judiciary General.

Mr. LICHTENWALTER. Mr. Speaker, in reply to the gentleman from Philadelphia, I wish to state that the bill which we just considered came from the Committee on Judiciary Special.

Mr. COHEN. Judiciary General, Mr. Speaker.

Mr. LICHTENWALTER. Mr. Speaker, I have consulted the history and if I am in error then I must blame the Printer for it.

Mr. COHEN. It is my suggestion, Mr. Speaker, that we call in the gentleman from Allegheny, Mr. Moran, who is an expert on bills not on file, to see whether or not it came from Judiciary General or Judiciary Special.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 607, entitled:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" conferring exclusive jurisdiction on the county court of Allegheny County in case of appeals from the Workmen's Compensation Board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 665, entitled:

An Act to amend section three hundred sixteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protecton of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the provisions to include officers and employees

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 757, entitled:

An Act to abolish the State Soil Conservation Board in the Department of Agriculture and all soil conservation districts founded or being founded to repeal the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2724) entitled "An act relating to soil conservation and soil erosion and regulating land use practices contributing to soil wastage and soil erosion providing for the organization of soil conservation districts as governmental subdivisions of the Commonwealth with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources prescribing the officers and employes thereof and defining their powers and duties creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act providing financial assistance to such soil conservation districts prescribing penalties and making an appropriation" and its amendments

The first section was read.

On the question,

Will the House agree to the section?

Mr. HABERLEN. Mr. Speaker, it was the understanding that after this bill passed second reading it be returned to the Committee on Agriculture, but I feel that there should be a few remarks made in connection with this bill.

Mr. Speaker, I feel that this bill is the exemplification of rabid partisanship.

The Republicans who served in the session of 1937 will remember that this law received the most careful attention and the basic consideration of its enactment were the principles of democratic procedure. Those of us who considered the merits and demerits of this legislation hedged it about with all the safeguard of democracy. We insisted that no farmer might become a party to any process without full and complete understanding of the proposals under consideration.

For this reason, we provided for three steps with intermissions for study, discussion and consideration—the First, a petition signed by 25 representative farmers in the proposed district. Second, the hearing, wherein farmers opposed to and these favoring a district might express their views and Third, that good old American tradition, the referendum. It is refreshing to know that some Republicans in this House are not willing to deny to farmers the right of petition, hearing and referendum without further consideration by the Committee of Agriculture.

It is furthermore refreshing to members of this side of the House to find members of the opposition act consistently in the matter of receiving federal aid for Pennsylvania projects. There have been few political campaigns wherein Republican orators did not assail the New Deal because of the fact that Pennsylvania received in unjust proportion, a fair share of the revenue that the Keystone State contributed to the national Treasury. In campaign after campaign, orators bewailed the fate of Pennsylvania as the step child of the U. S. Treasury and bemoaned the suffering of taxpayers without compensatory benefits.

This is what the political orators averred but not what the political administrators performed. Not only in Philadelphia where the unemployed accepted doles instead of work relief because WPA was ignored by the city politicans but also the farmers were denied the benefits of the soil conservation service since the inception of this act. Why? Because the Grange politicans together with representatives of the Extension Service organized campaigns of misinformation to prevent farmers from receiving their just benefits from the federal Treasury. So rapidly and blindly did the Grange politicians follow the course of obstruction that the present administration found it necessary to profit from the mistakes of the past administration and named a Secretary of Agriculture who was less closely alligned with the "dog in the manger" advocates of condemnation and destruction.

I think it is a revelation to many of us to learn that the Grange politicians have been entirely too vocal in speaking for the farmers of this nation for if we follow the record of those politicians in this state, we will find that from the day that John McSparran played Democratic Politics with the Grange in Pennylvania and John McSparran and John Light played Republican politics with the Grange in Pennsylvania, this great order declined in power and prestige.

The men who planned this ripper have to their discredit the amazing record of having presided over the liquidation of a great order. They have driven people out of the Grange as fast as Leon Henderson drove Democrats out of Congress. The Grange treasury will no longer support the reasonable administrative expenses and its membership has dwindled from 93,000 to who knows what

The recent survey of Fortune Magazine is startling in that it shows that the Grange registers only 3.4% of the farmers of the nation and speaks authentically for only a fraction of this number. Like the hermit frog when the pond was drained, spoke only for himself.

And finally Mr. Speaker, the men who favored this ripper in open hearing were not opposed to the provisions of the act. They admitted that soil conservation was an admirable practice. The whole of the opposition seemed to be summed up in the story of the President in addressing the national press association a year or more ago—to paraphrase—they were perfectly "willing to go to Heaven but they didn't want to go with our bunch." To be sure, soil conservation is a worthy project and it is a very happy occasion indeed when independent and fair minded Republicans from every corner of Pennsylvania came to Harrisburg to testify that the merits of the law were not questioned and that in their opinion, the root and source of opposition sprang from a partisan opposition to New Deal legislation.

When we consider, Mr. Speaker, that millions of dollars have been distributed in pork barrel legislation year after year by the federal Congress so that streams might be kept clear for commerce. When we consider that Huey Longism and gang politics grew out of pork barrel appropriations to gulf and ocean port cities, we begin to realize how powerfully we may favor independent institutions when we begin to take the money from the giant dredging concerns of our port cities and distribute it among the farmers on the hillsides of Pennsylvania and Idaho and Minnesota and Tennessee. Then we will be true conservationists—holding the soil on the hillsides rather than dredging mud from deltas, building levees and dykes on river banks and rescuing flood victims every time "Old Man River" goes on a rampage.

Mr. Speaker, I would like to have inserted in the Journal two editorials, one from the Shippensburg, Pa. News Chronicle, and one from the Chambersburg, Pa. Public Opinion.

The SPEAKER. If there is no objection the gentleman's remarks will be extended on the record as requested. The Chair hears none and consent is granted.

EXTENDED REMARKS OF MR. HABERLEN

SOIL SAVING LOSES

"Soil conservation has been beaten in Franklin County, and on the basis of the size of the vote the outcome of the balloting on Tuesday probably was for the best. Prior to the voting it was estimated that 1,870 landowners in the seven townships covered by the election were qualified to vote. The total vote cast was 343. Plainly, a soil conservation district authorized by an 18 per cent vote would have placed the board of supervisors in an unenviable position, for only by a large degree of cooperation can the maximum results be obtained from a conservation program.

"Why the vote was so light and why it resulted in a negative verdict are questions all citizens of Franklin County and Pennsylvania should want to see answered. Why a proposal embodying principles and aims everyone agrees are sound, if not necessary to a healthy agriculture in the future, should fail to arouse sufficient interest to bring out a sizeable representation of qualified voters asks an explanation. Why a program so carefully hedged about with democratic processes that it is almost weak from the enforcement standpoint should fail so signally to appeal to those it is intended to help is puzzling. That a beneficial plan requiring only as great a financial outlay as its participants wish to make should be so decisively rejected should pique the curiosity even of those who are only mildly interested. And why Franklin County should be deprived of the benefits of federal funds and services the establishment of a soil conservation district carries should be the concern of all.

"While the fact that the soil district plan does not carry a cash bounty for the farmers doubtless was a factor in the outcome of this week's, it does not tell the whole story. There were many other factors, one or two of which stand out so clearly that they warrant discussion. The most significant of these was the failure of the Franklin County Agricultural Extension Association to in any way assist the movement, an attitude which lends credence to reports that individual members of the association actively worked against it at one of the polling places. This is not to deny either the association or its members the right to openly oppose any proposal they consider adverse to the interests of agriculture. That they should be found opposing, or at least not aiding, an effort to set up a soil saving district seems strange, however, in view of the erosion control services the association offers. The opposition to the federal plan suggests that the extension association considers its educational program superior, although it admittedly does not have the resources to make any appreciable dent on the erosion problem. Does this mean that the opposition stems from hostility to a federal project because it is a federal project? If this is true, too much blame should not be placed on the local association. It is significant that Pennsylvania and California are the only two states in the Union in which the State extension services do not cooperate with the Soil Conservation Service. This helps to account for the fact that there are only four conservation districts in the entire Commonwealth of Pennsylvania and to explain why the conservation project has lost in three counties within the last week.

"Doubtless the extension service has reasons to support its apparent policy on non-cooperation, but the minority status of the State in respect to soil conservation puts those who are assumed to have the best interests of our agricultural community at heart on the defensive.

(Editorial from Chambersburg, Pa., (Franklin County) Public Opinion, January 16, 1943. Public Opinion is listed in Pennsylvania Manual, Independent Republican.)

SOIL DISTRICT RIPPER

"The honorable assemblymen from Chester and Susquehanna counties, respectively, have introduced into the House of the Pennsylvania legislature a ripper bill which would kill the soil conservation districts law and abolish forthwith any soil conservation districts in operation or being formed in the State. This law is an enabling act, by which farmers of the state are enabled to take advantage of federal assistance offered from Washington in correcting conditions contributing to soil erosion or similar wastage. The government furnishes technical supervision for corrective work, and in the palmy days of the Civilian Conservation Corps the labor was furnished also. Now, however, the farmers must provide the labor and the materials.

"Foundation for the ripper attempt is not too clear. It can hardly be economy, for the program costs the state only $5,000 a year. There is an argument that it is no more proper for the government to repair the soil for farmers than for the government to repair the machinery of a commercial manufacturer whose equipment has become rundown. There may be something to this argument. On the other hand there is a difference, for the fertility of the soil is a national resource, a very necessary one, and its protection should be supervised and assured by the government. The nation obviously cannot exist without food and fibre, and these inevitably come from the soil.

"The fact of the matter is that the opposition to the soil conservation district program, evidenced in the present bill and in stumbling blocks which have been placed in the way of the program in the past, is purely one of party politics. There are certain Republicans who are opposed to the program simply because it emanates from Washington and bears a Democratic label, and for no other reason. Such political shenanigans are silly at any time, and are monkey wrenches thrown into the machinery of the democratic form of government. If this measure should prevail Pennsylvania would drop the soil district work, but the work would go on in the other 47 states, with Pennsylvania paying 10 per cent of the bill. It's plain nonsense.

(Editorial from Shippensburg, Pa., (Franklin-Cumberland Counties) News-Chronicle, April 9, 1943. News-Chronicle is listed in Pennsylvania Manual, Independent Republican.)

Mr. GYGER. Mr. Speaker, in order to keep the record straight I wish to state that the sole purpose of this bill is to eliminate duplication and needless expense and red-tape, and not later than this morning the opponents of this bill made a statement that there was more money spent on some farms than the farm is really worth. We do not feel that that is conservation. There are still a vast number of farmers in Pennsylvania who still have pioneer blood flowing thru their veins who do not wish subsidies to do their own work.

On the question recurring,

Will the House agree to the section?

Mr. REAGAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Agriculture for further study.

The motion was agreed to.

The SPEAKER. The Chair requests the gentleman from Montgomery, Mr. Winner, to preside.

MR. WINNER IN THE CHAIR

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1092, entitled:

An Act to amend section twelve of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" changing the minimum age for participants in amateur boxing sparring and wrestling matches and exhibitions and providing a penalty

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 407, Printer's No. 161, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1071, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" declaring the legislative intent restricting the powers of the Department of Public Assistance and the State Board of Public Assistance extending the powers of county boards of assistance and making provision reciprocal with other states for assistance to certain aged persons

The first, second, third, fourth and fifth sections were separately read and agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. MOCK offered the following amendment:

Amend sec. 6 (Sec. 9), page 12, by inserting between lines 11 and 12, the following: "No aged person shall be required in connection with the receipt of assistance under this clause to give any bond, note by other obligation in any amount to secure the repayment of moneys received as assistance."

On the question,

Will the House agree to the amendment?

Mr. VAN ALLSBURG. Mr. Speaker, I rise to oppose this amendment. The amendment provides that no aged person shall be required in connection with the receipt of assistance under this clause to give any bond, note or other obligation in any amount to secure the repayment of money received as assistance.

This involves the question as to whether or not we shall require of persons who have received assistance reimbursement from any money they may have or any property, either personal or real property. This amendment would absolutely nullify the reimbursement provision. The Committee went into it very deeply, and that matter has been studied for the last ten years. The requirement for reimbursement is historic; it began way back in 1919 and it has been inserted in our laws that were enacted. When the Public Assistance law was last enacted in 1937 we had the support law enacted which requires reimbursement from all types of assistance.

Just briefly, in order that we might know the amount of money recovered therefrom, in 1942, for example, we recovered over a million dollars from reimbursement, of which the largest portion by far, over six hundred thousand dollars, came from reimbursements from elderly folks.

The question now arises, do we want reimbursement or do we not, and I am sure that the majority of the Members of the House realize that we can ill afford not to receive this money from the people. It is very unfair to say to a person who applies, say for old age assistance, who has a thousand dollars in the bank, to say to him "you must use up all that money before you are eligible for assistance." But if he happens to have a thousand dollars in real estate, you practically by this bill make it impossible to hold that property liable for the person's support.

Now, the Federal Social Security Act insists that we must administer assistance entirely on the basis of need, entirely on the basis of need. If we do otherwise we are certainly going to jeopardize our relations with the Federal Government and we will not receive a fifty per cent contribution towards the cost of relief to aged persons and to dependent children. I am sure we are all in sympathy with the lot of aged people. I have racked my brains trying to think of ways that we might improve the lot of aged persons, but until such time as the Federal Sociay Security Act has been in effect long enough aged persons will be in an unfortunate situation, but we are doing the best we can. We modified the laws in 1939 and again in this bill, House Bill 1071, and we will have to do the best we can. However, I am sure we are not ready to throw away the idea of reimbursement, and so I ask the Members to vote these amendments down.

Mr. CORDIER. Mr. Speaker, I rise in support of this amendment. For quite a number of years I have been interested in the question of public assistance, having presented on the floor of this House several pieces of legislation and resolutions which I believe were in keeping with the needs of these people on the relief rolls. There is one question that we shall decide on these amendments, and that is whether or not we believe that the time has come where we no longer require reimbursement in the state of Pennsylvania from the aged people who have become eligible to receive assistance by the signing of a bond.

I think that we must weigh in the balance the fear and the misery and the lack of confidence of these public charges against the amount of reimbursement the state of Pennsylvania has received over the years since this bond provision was put in the public assistance law.

I think that we can intelligently, and we can fairly and we can equitably say that the time has come to repeal this obnoxious section of the public assistance law, and I ask every Member of the House to support these amendments.

Mr. BROWN. Mr. Speaker, I would like to interrogate the gentleman from Lackawanna, Mr. Cordier

The SPEAKER, PRO TEMPORE. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. CORDIER. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, as I understand the gentleman's amendments, they would have no relation to the bonds already given by these persons, by these aged persons?

Mr. CORDIER. Mr. Speaker, I did not present the amendments. The gentleman from Luzerne, Mr. Mock, sponsored the amendments. I yield to him, if the gentleman would care to interrogate him.

Mr. BROWN. No. Mr. Speaker, I thought the gentleman from Lackawanna did.

Mr. CORDIER. The gentleman from Luzerne, Mr. Mock, presented the amendments, and I will be glad to yield to him.

The SPEAKER, PRO TEMPORE. Does the gentleman from Allegheny desire to interrogate the gentleman from Luzerne?

Mr. BROWN. Yes, Mr. Speaker.

The SPEAKER, PRO TEMPORE. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. MOCK. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, as I understand the amendments, they do not take care of those aged persons who have already given bonds?

Mr. MOCK. They do not, Mr. Speaker.

Mr. BROWN. Does the gentleman not think, Mr. Speaker, that in legislation of this kind if it is good for those who will be affected in the future, should it not also apply to those in the past? Would the gentleman have any objection to passing this bill over so that amendments may be made that will provide for taking care of those who have given in the past in the same manner as those in the future?

Mr. MOCK. It is o. k. with me, Mr. Speaker.

Mr. BROWN. May I interrogate the gentleman from Erie, Mr. Van Allsburg?

The SPEAKER, PRO TEMPORE. Will the gentleman from Erie permit himself to be interrogated?

Mr. VAN ALLSBURG. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, is there anything in the Federal Social Security Act that would nullify the contribution made by the federal government should this Legislature decide to make the law as would be required in these amendments, and would also make the law so that bonds given in the past might be stricken from the record?

Mr. VAN ALLSBURG. I think not.

Mr. BROWN. I thank the gentleman. Mr. Speaker, I think the majority of the Members of this House would vote for such an amendment, but I believe the amendment ought to be correctly drawn. The sponsor of the bill, Mr. Mock, stated he has no objection. Surely if those who are to get assistance in the future would not be required to give bond, those who have given bonds in the past ought to be relieved of the same burden, and I would ask that the bill go over for a few minutes—because it will only take a short time to check the amendments.

On the question recurring,

Will the House agree to the amendment?

AMENDMENT AND BILL POSTPONED

Mr. BROWN. Mr. Speaker, I move that the amendment together with the bill be postponed for the present.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 483, entitled:

An Act to reenact and further amend section one of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" requiring mine inspectors to inspect mines where from two to five persons are employed or engaged in work providing for the correction of unsafe conditions in and unsafe operation of such mines and for remedies to close such mines until conditions are corrected and providing penalties

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. BOWER. Mr. Speaker, I move that this bill be recommitted to the Committee on Mines and Mining for the purpose of further study and possible public hearing.

The motion was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 377, entitled:

An Act to further amend section eight hundred and twenty-three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garages keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the penalty for violation of provisions relating to official inspections

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 505, entitled:

An Act to further amend section one thousand seven hundred eleven-A of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring the Commonwealth to reimburse school districts operating joint high schools for cost of tuition thereat

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. TURBETT. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations for the purpose of further study and possible amendment.
The motion was agreed to.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 668, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income

And said bill having been read at length the second time, and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 669, entitled:

An Act to amend sections three four nine and nineteen of the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1125) entitled "An Act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 717, entitled:

An Act providing that when any city county school district or other political subdivision of this Commonwealth shall in the exercise of the power of eminent domain acquire real estate by appropriation and condemnation the title thereto which shall vest in such city county school district or other political subdivision shall be a title in fee simple unless otherwise provided in the ordinance or resolution authorizing the appropriation and condemnation thereof

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 725, entitled:

An Act to amend paragraph seven A of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by regulating salaries of continuation teachers in first class districts

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 799, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the suspension of operating privileges by the secretary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 875, entitled:

An Act to further amend section six hundred fourteen of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating the revocation of operating privileges by the Secretary of Revenue

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE

BILL PASSED OVER

There being no objection Senate Bill No. 67, Printer's No. 257, was passed over at the request of the SPEAKER pro tempore.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection

House Bill No. 720, Printer's No. 347.

House Bill No. 592, Printer's No. 276, on page 25 of todays calendar,

were passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 711, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' 'by further providing for the appointment of assistant county superintendents

On the question,

Will the House agree to the bill on third reading?

Mr. HALL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER, PRO TEMPORE. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 1 (Sec. 1126), page 2, line 17, by inserting a light-face bracket before the word "five" where it appears the second time in said line.

Amend sec. 1 (Sec. 1126), page 2, line 18, by inserting after the figures "(550)" the following "] four hundred and fifty (450)."

Amend sec. 1 (Sec. 1126), page 2, line 20, by inserting a light-face bracket before the word "five"

Amend sec. 1 (Sec. 1126), page 2, line 20, by inserting after the figures "(550)" the following: "] four hundred and fifty (450)"

Amend sec. 1 (Sec. 1126), page 2, line 21, by inserting a light-face bracket before the word "one"

Amend sec. 1 (Sec. 1126), page 2, line 21, by inserting after the figures "(1050)" the following: "] nine hundred (900)"

Amend sec. 1 (Sec. 1126), page 2, line 23, by inserting a light-face bracket before the word "one"

Amend sec. 1 (Sec. 1126), page 2, line 24, by inserting after the figures "(1050)" the following: "] nine hundred (900)"

The SPEAKER, PRO TEMPORE. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection House Bill No. 663, Printer's No. 444, was passed over at the request of the SPEAKER pro tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 563, as follows:

An Act to repeal section five of the act approved the fourth day of May one thousand nine hundred five (P. L. 385) entitled "An act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith" prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section five of the act approved the fourth day of May one thousand nine hundred five (P. L. 385) entitled "An act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith" is hereby repealed absolutely

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187.

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Bonawitz,
Boorse,
Bower,
Boyd,
Bradley,
Bretherick,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix.
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline.
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,.
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 302, entitled:

An Act to further amend section seven hundred seven subsection (e) of section nine hundred three and to repeal section seven hundred eight and subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to the weight length and width of motor buses and motor omnibuses and loads and changing the registration fees of motor buses motor omnibuses and other vehicles used for the transportation of passengers

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. FREED. Mr. Speaker, I desire to interrogate the sponsor of the bill, the gentleman from Delaware, Mr. Bretherick.

The SPEAKER, PRO TEMPORE. Will the gentleman from Delaware permit himself to be interrogated?

Mr. BRETHERICK. I shall, Mr. Speaker.

Mr. FREED. Mr. Speaker, will the gentleman from Delaware tell me what the change is in this bill from what it is at the present time?

Mr. BRETHERICK. Mr. Speaker, this bill was introduced by me to cure a very acute transportation problem in the war centers of Pennsylvania. As most of you know, the Office of Defense Transportation in July of last year provided that no further buses were to be manufactured in this country. Mr. Eastman of the Office of Defense Transportation has recently ordered the construction of seventy-five hundred bus bodies in order to relieve this transportation difficulty that we are now faced with. Those bus bodies can only be used on tractors, so in order to relieve this difficulty you will have three types of motor vehicles carrying passengers: first the regular motor bus which, as most of you know, is of the integral or unit type of construction; secondly you will have bus bodies with truck chassis, and third you will have bus bodies with tractor trailers. You have got three different types of motor vehicles with bus bodies, and therefore in order to have some uniformity the law was changed to provide that fees be based on maximum gross weight rather than on the number of passengers that were carried. You can see the logic of it. If in one of these new busses the operator wanted to put in seven seats and make the men stand up, which many of them would be willing to do in order to get to their place of employment, there would be a very minor license fee based on the number of seats in the bus.

On the other hand let us assume that we had a bus with thirty-six seats. Your fee would be two hundred eleven dollars. Well, if you have stand-sit seats, and that is in contemplation, gentlemen, in order to relieve this very trying situation, you would have to pay ten dollars for each additional stand-sit seat. The operators of these buses are going to be required to spend probably from eight to ten thousand dollars for the conversion of their truck chassis into a motor bus. That is absolutely necessary in order to relieve this acute situation, and there is no other method by which you can uniformily apply a tax or fee to these three classes of transportation buses than that adopted in my bill. If not, I am afraid, gentleman, you will have confusion worse confounded. In my county we have a bottle-neck of transportation, and many of the Members on both sides of the House have come to me and told me that they also live in war industry areas in which they have that same bottle-neck situation, and something must be done to relieve this situation. I have talked and discussed the matter with Members on both sides of the House, and I have yet to meet anyone who is not in accord with the provisions of this bill.

Mr. FREED. Mr. Speaker, since the gentleman from Delaware has made a speech, I would like the gentleman to tell me about what this will cost to the Department of Revenue?

Mr. BRETHERICK. May I say, Mr. Speaker, first of all that the Revenue Department has approved this bill. May I say secondly that this will cost the state of Pennsylvania approximately one hundred ten thousand dollars. We must not lose sight of the fact that when we reduced the fee on passenger motor vehicles we reduced the income to the state of Pennsylvania about two million dollars. When we reduced the fees on T pick-up buses we reduced the Revenues of Pennsylvania to the extent of three hundred thousand dollars. You are now reducing any revenue to the state of Pennsylvania to the extent of one hundred ten thousand dollars, but you are providing uniformity.

In addition to that fact, there are increased earnings, and I assume that there will be increased earnings by the transportation companies, and those earnings will be taxed in Pennsylvania under your corporate net income tax, your gross utilities tax and other forms of taxation, and while you will lose it in one respect you will make it up in another respect.

Mr. FREED. Mr. Speaker, I would like the gentleman to tell us just why they took the old truck weights and then increased the weights and reduced the amount of fee for what those weights have been per truck.

Mr. BRETHERICK. Mr. Speaker, I think the answer to that is quite simple, in order to provide uniformity. After all a motor bus of a certain weight does not create as much wear and tear on the highways of the state of Pennsylvania as a bus does. You must not lose sight of the fact that these buses are created for passenger purposes for transportation in war industries, they are used in the peak hours only and they are not used except in those hours, and during those hours they are not using the highway. There is only one method by which you can cover that situation, and that is the method provided in this bill.

Mr. FREED. Another question, Mr. Bretherick, on a bus will the gentleman tell me who controls the seating arrangement on this type of bus when they are put on a [illegible] job?

Mr. BRETHERICK. I didn't quite understand that question, Mr. Speaker.

Mr. FREED. The question I am after, Mr. Speaker, if you look at a bus today you will find it has all the luggage inside, the luggage that used to be outside. Today with that amendment I am wondering if the convenience of the passengers is going to be more neglected after we give them the privilege of putting these things on truck chassis or any way of regulating or controlling the seating capacity.

Mr. BRETHERICK. May I say to the gentleman, Mr. Speaker, that the transportation industry would not accept as a matter of peace time use these bus bodies on the truck chassis unless it was absolutely necessary to carry these passengers to and from a war industry. They would not for one moment think of that type of construction. Nor would they consider for one moment the use of the so-called sit-stand seats. Passengers in these busses after the war won't stand for that type of transportation. Men and women today want convenience, but they are perfectly willing to forego convenience today in order to get to and from these war plants, and I say to you, gentlemen, it is a problem. We are transporting people from as far away as Norristown to the war industries in Delaware County by bus.

Mr. FREED. Mr. Speaker, may I ask the gentleman from Delaware to answer that question and then let me talk.

The SPEAKER, PRO TEMPORE. The gentleman from Delaware has the floor.

Mr. BRETHERICK. Mr. Speaker, I am perfectly willing to let the gentleman talk. I like to hear the gentleman talk.

Mr. FREED. Mr. Speaker, I am very sorry that I have to take up this time at this time, but I felt that every man in the House should look this bill over and then think it over, because I do not believe there is another type of business or any kind of business that can come into the Commonwealth and try to get a reduction without showing that there is something there, something that has caused their revenues to be cut.

I come from Lehigh County. I have been told here for the last few weeks about being from a war working or war plant district. I believe that the Bethlehem Steel, and I believe that the Mack Motor Car Company and the Lockheed Aircraft Company or the other steel industries could all be classified as war industries. I believe if you would check Lehigh County, including the dynamite and all, it is certainly a war industry area, and for that reason I think I know what they need or should have along those lines.

I am trying to protect those who are not up here and who are protecting us by attending to their work, and it is up to us to protect their interests.

Perhaps you and I do not have to ride those busses, but if we had to ride those busses, let us try to do something for those people who have to ride them. That is the only reason I have taken this time, and I am very thankful to the gentleman from Delaware for putting in his time to explain the bill and saving me the time, because I think this is a fine day to mend umbrellas, and I want to go home too. I thank you.

Mr. BRETHERICK. Mr. Speaker, may I say just a word or two more? The Office of Defense Transportation in Washington has ordered that these busses be increased to one hundred twenty percent of their capacity. Let me tell you what is going to happen to these seventy-five thousand busses if we don't get something done about it in Pennsylvania. In Pennsylvania the license fee is $226 for a 37-passenger bus. In New York it would be $81.50, or approximately one third of the amount. In New Jersey it is $54 and in Delaware $93, so if this bill does not pass the busses that are needed for transportation in the state of Pennsylvania are going to be used in New York, in New Jersey and Delaware to the detriment of Pennsylvania.

Mr. LOVETT. Mr. Speaker, I am very thankful to the gentleman from Lehigh, or back there somewhere, for the explanation of this bill. If you will recall, the other night I stated very plainly that this was no time to stop the revenues coming into the state. I realize that there is possibly a problem here, and we certainly are sympathetic with the men in war industry who have to ride these buses, and we would be perfectly willing to help them in any way we can, but as I see it, as the gentleman from Delaware has explained, we have to continue to cut the revenue coming into the state. Now, that is just contrary to what we should do; we should increase the revenue now instead of decreasing it.

These poor boys who are possibly riding these buses, we have a lot of sympathy for them, but we still have to think of the boys over on the other side who are going to come back and find no revenue here in order to have a post-war program to put those boys to work. I think, gentlemen, we are making a mistake, and I think we should consider this bill. As the gentleman said, if it meant $110,000 or something like that to the State, I didn't exactly get the figures—

Mr. BRETHERICK. Mr. Speaker—

The SPEAKER, PRO TEMPORE. Will the gentleman from Westmoreland yield to the gentleman from Delaware, Mr. Bretherick?

Mr. LOVETT. I will, Mr. Speaker.

Mr. BRETHERICK. Mr. Speaker, in view of the fact that there is going to be some debate on this bill, I would ask that this bill be put over on the third reading postponed calendar.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. BRETHERICK. Mr. Speaker, I move that this bill be placed on the postponed calendar.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 787, as follows:

An Act to further amend section one hundred thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the requirements for creating the office of county controller by court decree in counties of the sixth seventh and eighth classes and authorizing the establishment of such office by referendum

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred thirty-six of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the twenty-third day of May one thousand nine hundred thirty-three (P. L. 948) is hereby further amended to read as follows

Section 136 Establishment of Office of Controller [by Decree of Court] In Counties of the Sixth Seventh and Eighth Classes (a) The office of controller may be established in any county of the sixth seventh or eighth class by petition to the court of common pleas of such county of [twenty-five] five per centum of the number of electors who voted at the general or municipal election as the case may be next preceding the date of such petition The petition shall include the signatures of a majority of the [board of county commissioners the clerk of the courts coroner county treasurer prothonotary recorder of deeds and register of wills] elected officers of the county Upon presentation of such petition the court after consideration of the petition and hearing if any requested by taxpayer shall if it deems the same to be for the best interests of the county direct that at the next municipal election and quadrennially thereafter the electors of such county shall choose a citizen of the county for the office of controller in place of the county auditors Such person shall serve for a term of four years or until his successor is qualified if he shall so long behave himself well Upon the filing of such decree the prothonotary shall transmit certified copies thereof to the county commissioners the sheriff and to the Governor Upon receipt thereof the sheriff shall give at least thirty days public notice by proclamation in addition to any other notice required by law Such proclamation shall be printed three times in every newspaper of general circulation in the county and shall contain a notice that a citizen of said county is to be elected at the next ensuing municipal election for the office of county controller Such controller shall be nominated and elected in compliance with the provisions of the general election laws

(b) The office of controller may also be established in any county of the sixth seventh or eighth class by the affirmative vote of a majority of the electors of the county voting on the question submitted as herein provided at any general municipal or primary election The question shall be submitted to the electors of the county upon demand in writing of one hundred (100) qualified electors Such petition shall be filed with the county commissioners at least sixty days before the days of any general municipal or primary election at which the question is to be submitted If the petition is sufficiently signed the county commissioners shall cause the question to be submitted in the manner provided by the election laws of this Commonwealth If the majority of electors voting on the question shall vote in favor of establishing the office of county controller such office shall thereby be established and at the next municipal election and quadrennially thereafter the electors of the county shall choose a citizen of the county for the office of controller in place of the county auditors

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Als[illegible]
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,

Bonawitz,
Boorse,
Bower,
Boyd,
Bradley,
Bretherick,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Montgomery, Mr. Winner, for presiding.

TIME EXTENDED ON BILL

Mr. YESTER. Mr. Speaker, I move that the time on House Bill No. 709, Printer's No. 224, entitled:

> An Act authorizing the secretary of the board of health in the various cities of the third class throughout the Commonwealth during the continuation of the present war and for six months thereafter to search and issue certified copies of birth and death records maintained by such cities after the State-wide system for registering vital statistics was established requiring that such birth and death records be made available to the secretary of the board of health for the purposes of this act and authorizing the respective city councils to prescribe fees for such services

on page 28 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 440

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 15, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 440, Printer's No. 282, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. BROWN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. WALTER E. ROSE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Brown, vote on the final passage of this bill?

Mr. BROWN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Cambria, Mr. Rose, vote on the final passage of this bill?

Mr. WALTER E. ROSE. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. BROWN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question recurring

Will the House agree to the bill on third reading?

Messrs. WALTER E. ROSE and BROWN. Mr. Speaker, we ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

> Amend page 3, line 21, by inserting after the word "present" and before the word "at" the following: "in person or by proxy"

The SPEAKER. Will the House give unanimous consent to the offering of amendment at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 15, 1943.

Resolved (if the Senate concur), that House Bill No. 105, Printer's No. 62, entitled "An act to reenact and amend the title of and the act approved the first day of July one thousand nine hundred and thirty-seven (Pamphlet Laws 2611) entitled 'An act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions' extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions" be recalled from the Governor for the purpose of amendment.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 187

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 10, by inserting after the word "made" the following: "provided however that nothing herein contained shall affect or be applicable to any lands so sold for which action at law or equity are now pending for the purpose of determining title to said lands."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—187

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Bonawitz,
Boorse,
Bower,
Boyd,
Bradley,
Bretherick,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Hoggard,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Dare,
O'Neill,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds.
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 686

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 3, by striking out lines 24 to 29 as follows:

"and on or before the fifteenth day of each month shall file with the Secretary of Agriculture of the Commonwealth of Pennsylvania a report giving such information in detail of the purchases so made during the preceding month together with information of the total quantity of butter purchased during that period," and insert in lieu thereof the following: "Such record shall be open to the inspection of the Secretary of Agriculture or his designated representative

(6) The Secretary of Agriculture from time to time and for such periods of time as he may determine may require any charitable or penal institution other than a State-owned and State operated institution to report within the period of thirty days from the date of his request the amount of such purchases the source of such purchases, the date of purchase and the price paid together with information of the total quantity of butter purchased during the same periods."

On the question,

Will the House concur in the amendments of the Senate?

Mr. ELY. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON ITS AMENDMENTS NON-CONCURED IN BY HOUSE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 49, entitled:

An Act to amend the title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard and authorizing additional annual allowances to uniformed officers for arms uniforms and equipment

Mr. LICHTENWALTER. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

COMMITTEE OF CONFERENCE APPOINTED ON HOUSE BILL No. 49

The SPEAKER. The Chair appoints as a Committee of Conference on said bill Messrs. Bretherick, Royer and O'Neill.

Ordered, That the Clerk inform the Senate accordingly.

ADJOURNMENT

Mr. WORLEY. Mr. Speaker, I move that this House do now adjourn until Monday, April 19, 1943, at 9 p. m.

The motion was agreed to and (at 4:28 p. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

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SENATE

MONDAY, April 19, 1943.

The Senate met at 4:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D.D. offered the following prayer:

Almighty God, who hast ordained that Thy children should find the joy of life in obedience to Thy commandments, we pray Thy forgiveness in that we have forgotten our obedience to Thee and have departed from the straight path of truth and righteousness. Bring us back, we pray, from our foolish wanderings and lead us to the true source of truth and honor.

O Thou who hast given us the power to remember, to love and to hope, help us to cleanse our lives from all destructive elements and to make them sanctuaries of courage, kindness and faith. The acts of our lives will then be creditable to ourselves, helpful to others and for Thy glory.

May Thy blessing rest upon our loved ones wherever they may be.

May Thy protection and guidance be given to our President, our Governor and our Lieutenant-Governor and to all who are honored with high positions of service.

In the Name of Christ, our Lord. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. SCARLETT, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. ZIESENHEIM, because of his services in the United States Army.

He also asked and obtained leave of absence for Mr. TAYLOR, on account of illness.

He also asked and obtained leave of absence for Mr. EDMONDS, on account of illness.

He also asked and obtained leave of absence for Mr. HOMSHER, on account of death in the family.

He also asked and obtained leave of absence for Mr. MALLERY, on account of death in the family.

Mr. Coleman asked and obtained leave of absence for Mr. SHAPIRO, for April 19 and 20, on account of the holidays.

Mr. DENT asked and obtained leave of absence for Mr. LANIUS, on account of illness.

He also asked and obtained leave of absence for Mr. MUNDY, who is attending to the duties of his profession.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Executive Nominations.

MEMBER PIKE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorette Gumble (Republican), Paupack, Pike County, for appointment as a member of the Pike County Board of Assistance, to serve until December 31, 1944, and until her successor is duly appointed and qualified, vice William Weintz, resigned.

EDWARD MARTIN.

MEMBERS SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Susquehanna County Board of Assistance:

Mrs. Elizabeth Mack (Republican), Montrose, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Mrs. Winifred Meehan, whose term expired.

Mrs. Elizabeth Shinners (Democrat), Great Bend, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Frank J. Chapman, whose term expired.

EDWARD MARTIN.

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate S. M. Kohler, Box No. 32, Fayetteville, Franklin County, for appointment as Justice of the Peace in and for the Township of Greene, Franklin County, until the first Monday in January, 1944, vice Robert C. Boyles, resigned.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David R. Moody, 440 Olive Avenue, North Charleroi, Charleroi, for appointment as Justice of the Peace in and for the Borough of North Charleroi, Washington County, until the first Monday in January, 1944, to fill a vacancy.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 135, entitled:

An Act to further amend section one thousand two hundred five A of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code," authorizing temporary increases in compensation of professional employes of school districts, and the discontinuance of such temporary increases without the consent of such employes.

Which was committed to the Committee on Education.

House Bill No. 243, entitled:

An Act relating to marriage and amending, revising, consolidating and changing the law relating thereto.

Which was committed to the Committee on Judiciary General.

House Bill No. 293, entitled:

An Act authorizing for a temporary period of time the employment of minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment.

Which was committed to the Committee on Labor and Industry.

House Bill No. 305, entitled:

An Act providing for the admission of children to, and their education and maintenance in, and their discharge from the Pennsylvania Soldiers' Orphan School; prohibiting discharging children, or taking children from said school, or children from leaving the same, without an order of the Board of Trustees of the Pennsylvania Soldiers' Orphan School; and prescribing penalties.

Which was committed to the Committee on Education.

House Bill No. 317, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, co-partnership associations, and joint-stock associations; providing the manner of collecting such tax, and prescribing penalties," by further extending the exemptions from the tax imposed by the said act.

Which was committed to the Committee on Finance.

House Bill No. 360, entitled:

An Act to further amend the first three paragraphs of section one thousand two hundred one of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," making wartime emergency provisions for substitute teachers.

Which was committed to the Committee on Education.

House Bill No. 393, entitled:

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court.

Which was committed to the Committee on Judiciary Special.

House Bill No. 424, entitled:

An Act to amend section eighteen and one-tenth of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "Vital Statistics Law" extending the special file for the records of births of veterans of the World War to veterans of certain other wars.

Which was committed to the Committee on Public Health.

House Bill No. 451, entitled:

An Act to add section seven and one-tenth to the act approved the sixteenth day of July, one thousand nine hundred forty-one (P. L. 400) entitled "An act to protect the debtors, obligors or guarantors of debts for which judgments are entered, or may be entered, and owners of real property affected thereby, and others indirectly liable for the payment thereof, by prescribing the method of fixing the fair market value of such property sold on execution, and limiting the amount collectible thereafter on such judgments," providing for the entry of release and discharge of said judgments under certain circumstances.

Which was committed to the Committee on Judiciary Special.

House Bill No. 468, entitled:

An Act to further amend sections three hundred seven and five hundred one of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "Mental Health Act of 1923," imposing certain costs on the institution district.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 521, entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1216), entitled "Real Estate Brokers License Act of 1929," by providing for the licensing, regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business by the Pennsylvania Real Estate Board, instead of the Department of Public Instruction.

Which was committed to the Committee on Judiciary Special.

House Bill No. 523, entitled:

An Act to amend subsection (c) of section twelve hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by excepting therefrom the transfer of stock assigned by a decedent before his death as collateral security for a loan and requiring the holder of such stock to report concerning the sale thereof to the Department of Revenue.

Which was committed to the Committee on Finance.

House Bill No. 563, entitled:

An Act to repeal section five of the act, approved the fourth day of May, one thousand nine hundred five (P. L. 385), entitled "An act creating the Water Supply Commission of Pennsylvania; defining its duties; fixing the scope of its authority and powers, and making an appropriation for the payment of the salaries and expenses connected therewith," prohibiting the issuance of letters patent to water companies until approved by the Water Supply Commission.

Which was committed to the Committee on State Government.

House Bill No. 575, entitled:

An Act to further amend the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "General Borough Act," by adding an additional clause to Section 1202 LIII relating to exemptions from advertising.

Which was committed to the Committee on Municipal Government.

House Bill No. 583, entitled:

An Act to further amend section fourteen of article four and section one of article five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "Bituminous Coal Mining Law," further regulating lamps to be carried by shot-firers and fire bosses.

Which was committed to the Committee on Mines and Mining.

House Bill No. 591, entitled:

An Act to amend section two of the act, approved the eighth day of April, one thousand nine hundred and thirty-seven (P. L. 256) entitled "An act relating to counties of the first class, and the duties of the treasurers thereof in connection with the collection of certain taxes, fees, license taxes, and license fees payable to the Commonwealth, and making provisions for the disposition of the compensation therefor heretofore received by such treasurers," by authorizing the county treasurers in counties of the first class to deduct from moneys collected by them for the Commonwealth the amount of premiums paid by them for the bonds which they are required to furnish to protect and safeguard the funds of the Commonwealth in their hands.

Which was committed to the Committee on Municipal Government.

House Bill No. 624, entitled:

An Act to further amend section two thousand six hundred twenty-three of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "Public School Code" by providing for the fixing of the compensation of the controller auditing the accounts of second and third class school districts.

Which was committed to the Committee on Education.

House Bill No. 678, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund; clarifying certain provisions relating to extensions of time for filing tax reports or returns; eliminating the provisions imposing interest on tax and bonus at any greater rate than six per centum per annum; changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time; providing for the automatic adjustment of interest liability so as to correspond to certain changes in tax or bonus liability; and further regulating the procedure for filing petitions for resettlement, petitions for review, appeals to court and the security accompanying such appeals.

Which was committed to the Committee on Judiciary General.

House Bill No. 722, entitled:

An Act to amend section one of the act, approved the eighth day of July, one thousand nine hundred and nineteen (P. L. 782), entitled "An act providing that clerks assisting the registers of wills in the collection of inheritance taxes, in counties having a population of less than one million five hundred thousand inhabitants, shall be appointed and their compensation fixed by the Auditor General; and prescribing the method of their payment and that of other expenses incident to the collection of said taxes," by providing that the Secretary of Revenue shall appoint and fix the compensation of clerks assisting the register of wills in the collection of inheritance taxes in counties other than the first and second class and requiring the approval of the Secretary of Revenue to pay the compensation from such taxes.

Which was committed to the Committee on State Government.

House Bill No. 723, entitled:

An Act to amend sections one, two and three of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 727), entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled 'Transfer Inheritance Tax Law,' authorizing the Auditor General to appoint investigators and appraisers and providing for their compensation," by giving the Secretary of Revenue complete supervision of appraisements in estates of resident decedents and the power to adopt rules and regulations, by conferring upon the Secretary of Revenue the power to employ necessary investigators and appraisers for the enforcement of the transfer inheritance tax laws and to fix the compensation of permanent appraisers.

Which was committed to the Committee on State Government.

House Bill No. 751, entitled:

An Act to amend section twelve, and to further amend section fourteen, and to amend sections fifteen, eighteen, twenty-two, twenty-three, twenty-six, twenty-nine, thirty-one, thirty-six, forty and forty-two of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled "Transfer Inheritance Tax Law," by providing for certification to the Secretary of Revenue as to the necessity for the appointment of expert appraisers or those possessed of technical knowledge and for the approval by the Secretary of Revenue of the appointment of such expert appraisers and of the statements rendered by them for compensation; and for the monthly transmittal by the Secretary of Revenue of the returns of such appraisers and the recording by him thereof; vesting in the Secretary of Revenue the powers of the register of wills in certain cases; requiring duplicate tax receipts and the bond and monthly return to be sent to the Secretary of Revenue; prohibiting transfer of stock without certificate from the Secretary of Revenue, and penalty for violation; providing for refunds for erroneous inheritance tax payments on proof of the Secretary of Revenue and for dismissal by the Secretary of Revenue of appraisers for accepting fees or rewards; vesting in the Secretary of Revenue the power to appoint and fix the compensation of additional appraisers or experts employed for appraisal purposes and for their payment; and providing further for the collection by the Secretary of Revenue of all inheritance taxes due the Commonwealth from nonresident decedents and making monthly reports thereon to the State Treasurer.

Which was committed to the Committee on State Government.

House Bill No. 752, entitled:

An Act to further amend section four hundred three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-seven (P. L. 2017), entitled "County Institution District Law," by increasing the sum which institution districts may provide for certain burials.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

House Bill No. 767, entitled:

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," changing the provisions of said act relating to registration plates and the issuance thereof by the department.

Which was committed to the Committee on Highways.

House Bill No. 768, entitled:

An Act to amend sections four hundred seven and one thousand two hundred and one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," to further reorganize the Departments of Revenue and of the Auditor General in such manner as to vest in the Department of Revenue the appointment, the fixing of the compensation; and the approval of the expense accounts and supervision of clerks, investigators, appraisers, expert appraisers, permanent appraisers, and other employes necessary to enable the registers of wills of the several counties to collect transfer inheritance taxes; vesting in the Secretary of Revenue the power to credit the commissions and other expenses and costs of certain accounting officers in the collection of the transfer inheritance tax.

Which was committed to the Committee on State Government.

House Bill No. 771, entitled:

An Act to amend section three hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "Tractor Code," changing the provisions of said act relating to registration plates and the issuance thereof.

Which was committed to the Committee on Highways.

House Bill No. 780, entitled:

An Act to amend the definition of "Trailer" in section one hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "Tractor Code," providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner, shall be exempt from registration fees.

Which was committed to the Committee on Highways.

House Bill No. 787, entitled:

An Act to further amend section one hundred thirty-six of the act approved the second day of May, one thousand nine hundred twenty-nine, (P. L. 1278), entitled "General County Law," changing the requirements for creating the office of county controller by court decree in counties of the sixth, seventh and eighth classes; and authorizing the establishment of such offices by referendum.

Which was committed to the Committee on County Government.

House Bill No. 789, entitled:

An Act to amend the definition of "Trailer" in section one hundred two, as amended, of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," provided that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner, no registration fee shall be required therefor.

Which was committed to the Committee on Highways.

House Bill No. 797, entitled:

An Act to amend section two of article five of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176), entitled "Anthracite Coal Mining Law," by providing that certain low pressure boilers used for heating purposes only, shall be exempt from the requirements of said section which prohibits the installation of boilers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal.

Which was committed to the Committee on Mines and Mining.

House Bill No. 798, entitled:

An Act to further amend subsection (b) of section six hundred fourteen of the act, approved the first day of

May, one thousand nine hundred twenty-nine (P. L. 905), entitled "Vehicle Code," by changing the provisions of said act relating to the further revocation and suspension of operating privileges of persons who operate motor vehicles while their operators' licenses or learners' permits are revoked or suspended.

Which was committed to the Committee on Highways.

House Bill No. 805, entitled:

An Act providing for the appointment of a clerk to the jury commissioners in counties of the third class by the court of common pleas; the fixing of his salary by the salary board, and the payment thereof by the county.

Which was committed to the Committee on County Government.

House Bill No. 823, entitled:

An Act to further amend section fourteen of the act, approved the thirteenth day of May, one thousand nine hundred and fifteen (P. L. 286), entitled "Child Labor Law," by permitting examinations to be made by any licensed physician.

Which was committed to the Committee on Labor and Industry.

House Bill No. 825, entitled:

An Act to amend section one of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 403), entitled "An act fixing the salary of county commissioners in counties of the third, fourth, fifth and sixth classes," by increasing the salary of county commissioners in counties of the sixth class.

Which was committed to the Committee on County Government.

House Bill No. 844, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by providing that, under war time conditions, the Department of Property and Supplies may make certain purchases, and may authorize any department, board or commission, to make certain purchases without advertising, competitive bidding, or contract; authorizing departments, boards and commissions to make certain direct purchases of various publications; further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings, and over the plans and specifications therefor; and relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings.

Which was committed to the Committee on State Government.

House Bill No. 989, entitled:

An Act to amend clause three of section thirteen of article nineteen of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "First Class City Charter Law," by providing that persons certified by the Civil Service Commission as eligible for appointment or promotion to various positions who are prevented from accepting such appointment or promotion because of their entrance into the armed forces of the United States Government during time of war, shall be retained on a preferred eligible list for such appointments or promotions until two years after the termination of hostilities in such war.

Which was committed to the Committee on Municipal Government.

House Bill No. 1082, entitled:

An Act authorizing the Governor of the Commonwealth of Pennsylvania, for a limited period of time, to suspend or modify laws either in whole or in part under certain circumstances, during the existence of the present war.

Which was committed to the Committee on State Government.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 187

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 187, entitled:

An Act validating county treasures' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas, and such sales were not confirmed by the court.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL No. 49 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists on its non-concurrence in Senate amendments to House Bill No. 49, entitled:

An Act to amend the title and sections one to twelve, both inclusive, of the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 3), entitled "State Council of Defense Act," changing the name of the Pennsylvania Reserve Corps to Pennsylvania State Guard.

and has appointed Messrs. BRETHERICK, ROYER and O'NEILL as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 49, AND APPOINTS COMMITTEE OF CONFERENCE

Mr. HEYBURN. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 49 and that a Committee of Conference be appointed to confer with a similar committee of the House of Representatives (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. FARRELL. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The PRESIDENT PRO TEMPORE appoints Messrs. GELTZ, CROWE and COX to be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL No. 686

He also informed the Senate that the House has non-concurred in Senate amendments to House Bill No. 686, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years, and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time, under certain circumstances requiring the keeping of records and the making of reports and providing penalties.

SENATE INSISTS UPON ITS AMENDMENTS NON-CONCURRED IN BY THE HOUSE TO HOUSE BILL No. 686

Mr. HEYBURN. Mr. President, I move that the Senate insist upon its amendments non-concurred in by the House to House Bill No. 686 and that a conference committee be appointed to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

Mr. HENRY I. WILSON. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

PETITIONS AND REMONSTRANCES

Mr. WOODRING. Mr. President, I would like to read into the record a letter received by me last week from the Northampton County Board of Assistance, which is dated April 12, 1943.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOODRING. Mr. President, the letter is as follows:

Northampton County Board of Assistance,
321 Northampton Street, Easton, Pa., April 12, 1943.
"Hon. Carleton T. Woodring
"R. D. No. 1
"Easton, Pa.

"My dear Senator Woodring:

"At a recent meeting of the Northampton County Board of Assistance, legislation affecting public assistance, currently being considered by the state legislature, was discussed. Assemblyman VanAllsburg's proposal to repeal the Eckel's Milk Bill was among other proposals considered by the Board.

"Early in 1941 the Northampton County Board of Assistance went on record as unanimously opposing the Eckel's Bill. The past three years have made no change in the thinking of the Board on this subject. The increased administrative cost, the loss of federal participation in this portion of assistance grants, plus no guarantee that fluid milk is necessary or the most healthful for all children are, in the opinion of the Board, sufficient reason for discontinuance of the program. A better use of the eight to nine hundred thousand dollars which the milk bill is costing annually would be to spend a similar sum for increases in Aid to Dependent Children grants.

"In short, it is the unanimous, considered judgment of the Northampton County Board of Assistance that the Eckel's Bill is inequitable and costly from the standpoint of both the recipient and the State and should be repealed at this session of the Legislature.

"Very truly yours,
"Henry A. Miller, Chairman
"Northampton County Board of Assistance"
HAM.nds.

Mr. President, it so happens that I am not acquainted with Henry A. Miller, and I do not happen to know with what political party he is affiliated. I do know that the Northampton County Board of Assistance, like the county boards of assistance in other counties, is made up primarily of non-partisan men and women, leading men and women in their respective counties.

I also happen to know that the public charities organization throughout the state of Pennsylvania, and the public welfare associations, are almost unanimous in their desire that the provision for the supply of fluid milk as a portion of the relief grant be abolished.

I note on the Senate Calendar that there is such a repeal bill in this Senate at the present time, Senate Bill No. 88, that it was referred to the Committee on Welfare, Public Assistance and Pensions, February 2, was reported as committed and passed first reading on April 6, and was then recommitted on April 7.

It seems to me, gentlemen of the Senate, in view of the strong feeling throughout the state of Pennsylvania for the repeal of this measure, that Senate Bill No. 88 should be re-reported for consideration by the members of the Senate, and also to gain a further crystallization of opinion of the citizens of our Commonwealth.

Mr. HEYBURN. Mr. President, I just want to say for the information of the Senator from Northampton, that House Bill No. 1071, to repeal the Eckels milk provision is up for final passage in the House today.

PERMISSION TO ADDRESS SENATE

Mr. COX asked and obtained unanimous consent to address the Senate.

Mr. COX. Mr. President, I would like to say in introduction to these remarks that the things I say, the opinions I express, are my own personal opinions. I do not care to put the committee appointed by the Senate to investigate Municipal Authorities in the position of having indicated any attitude that any other member of that committee might have.

I would like to say that Chairman Becker of that Committee, in my opinion, has done a magnificent job in the short time he has had the Committee together; his splendid ability as a lawyer and his willingness to give of his time I am confident is going to result in legislation that will correct many of the defects in our Municipal Authorities act.

During the time of our investigation there has been a strange course of events come to light and I know that the members of the Senate would believe it incredible that there could be as many defects in as splendid an act, and I want to go on record as saying that I believe in all sincerity in the idea of Municipal Authorities—I am for them one hundred per cent—but I am certainly in favor of correcting any loopholes in the Municipal Authorities act which could enable some of the things that have happened in this State to happen in the future.

As an example, the Borough of Wilkinsburg and the officials of the Pennsylvania Water Company entered into secret negotiations for the acquisition of the plant of the Pennsylvania Water Company. This plant services eighteen boroughs and townships and a part of the City of Pittsburgh. Their negotiations were proper and permissible under the Municipal Authorities act.

Unfortunately, they were conducted over a long period of time and the other municipalities had no opportunity of expressing any desire or interest on their part in joining with the Borough of Wilkinsburg in a joint authority for the acquisition of this proprety.

It was only when an ordinance authorizing the creation of an authority for purposes unknown or unexpressed in the ordinance was published in a local paper that there was any indication that such an idea was in view, and it was due to the agility and the industry of the Pittsburgh Sun Telegraph, which investigated the whole matter, that there came to light the situation which I want to talk about today, only as an illustration of what can happen under the act.

Very briefly, the officials of the Pennsylvania Water Company went to the Borough of Wilkinsburg and told them under the Municipal Authorities act that they could create an authority for the acquisition of the water plant. The officials of that borough agreed that was a very fine thing. Everybody kept very, very quite about it and they did say the reason for the secretiveness was that they did not want any other borough to get the idea that they could join in the deal or that they could buy the water plant.

As a result of the disclosure by the Pittsburgh Sun Telegraph, there has been considerable furore throughout Allegheny County and particularly in the districts served by the Pennsylvania Water Company. Perhaps this story is better told than I can tell it by articles appearing in a local paper, the Gazette published in Allegheny County, published by editor John McDowell, who is familiarly known as the Country Editor and a former member of Congress from Pennsylvania. I might say that we on the Democratic side feel that in the congressional reapportionment bill one of the things it will do, as I see it, will be to send Congressman McDowell back to Washington.

This paper has always been an interesting paper to me and glancing over the first page, at the very top, we find this statement: "A politician is an animal who can sit on the fence and yet keep both ears to the ground." —Author Unknown.

The Gazette published, after the disclosure in the Pittsburgh Sun Telegraph, the whole deal, all the plans, and also published an engineering report which claims to have investigated the value of the proposition. It has quite visible headlines, as you can see, and it reads as follows:

"WILKINSBURG TO PURCHASE WATER COMPANY FOR $7,880,000

"Old Utility to be Sold by Mellons: Nineteen Boroughs and City are Serviced: Court Action Pending

"Harrisburg, April 15, 1943.

"Officials of the Borough of Wilkinsburg appeared before the Senate Municipal Affairs Committee today to testify as to their knowledge of the intention of their Borough buying the Pennsylvania Water Company. Their were Burgess Harry R. Rowland, Council President Wm. M. Findley, Finance Chairman Ray Maxwell and Newton Hopkins, one of the proposed members of the Authority.

"Also here were John Dierst, solicitor for Swissvale and Anne X. Alpern, solicitor for the City of Pittsburgh.

"PUBLISHING OF ORDINANCE REVEALS QUIET NEGOTIATIONS; OTHER TOWNS MAKE OBJECTIONS

"Forty Year Period to Liquidate Purchase; No Increase in Water Rates Say Proposed New Operators

"The Council of the Borough of Wilkinsburg has arranged to purchase the Pennsylvania Water Company, Burgess Harry R. Rowland announced last Friday.

"The price to be paid is $7,880,000.

"In discussing the proposed purchase Ray Maxwell, chairman of the Finance Committee, said the negotiations for the Water Company had been conducted over a series of weeks in complete silence, in an effort to keep some other purchaser from offering more money for the utility which has been a profitable one for many years.

"Principal stockholders of the Pennsylvania Water Company are the various members of the families of the late Secretary of the Treasury Andrew W. Mellon and his brother, Richard Beatty Mellon. The Mellon's own an estimated 83 percent of the stock.

"The Water Company, if it changes hands and becomes the property of the citizens of Wilkinsburg, will be operated under State law by a Wilkinsburg authority.

"The enabling ordinance for the authority was passed by the Council on March 29 and published in the Gazette in the usual fashion on April 2nd.

"Named in the ordinance to be members of the Authority are the five men who will presumably be the operators of the Water Company in the future.

"They are E. D. Rudolph, vice president of the Wilkinsburg Bank; William Hoffman, head of the Hoffman Contracting Company; Lawrence S. Bell, head of the Union National Bank; Samuel Taylor, engineer, and Newton F. Hopkins, of the engineering firm of Harrop and Hopkins. All five are residents of the Borough of Wilkinsburg as is required by law.

"The seven million, eight hundred and eighty thousand dollars is to be raised in the form of bonds to be bought by the Mellon Securities Corporation and payment is extended over a period of forty years.

"The decision to purchase the Company by the Council was made when it was learned that the owners were determined to sell the utility.

"According to Pennsylvania law, any municipality served by a utility has the right to buy and operate it in case it is offered for sale. The owners, when they determined to sell the controlling stock in the Company, chose the largest Borough being served by the company and made known their desire to sell it.

"The publishing of the ordinance caused a considerable furore amongst other boroughs served by the Pennsylvania Water Company and two of them, the Borough of Edgewood and Swissvale, immediately filed petitions in the Common Pleas Court as did Mrs. Laura B. Norris, Wilkinsburg resident and property owner on East End Avenue, who filed a tax payer's petition.

"All of the petitions, similarly drawn, allege the ordinance is unconstitutional and point out that the Borough of Wilkinsburg consumes only one-tenth of the total output of the Water Company, and the other ninety percent of the consumers should be represented.

"The law, however, does not provide for this.

"Interest in the purchase was further heightened when Chairman Decker of the Senate Municipal Affairs Committee of the Pennsylvania Legislature responded to a request that the Committee investigate the affair. The request was made by Senator Cox (Democrat, Munhall), who, until recently, was the solicitor of the Borough of Pitcairn, one of the boroughs served.

"Nineteen boroughs and townships are served by the Company as well as the Brushton district of the City of Pittsburgh.

"The Pittsburgh City Council, when they learned of the proposed purchase, instructed its solicitor Anne X. Alpern, to investigate the situation and take what action she deemed necessary.

"The date of the hearings has been set for April 24.

"The secrecy with which the affair has been conducted has been severely criticized, particularly by the other communities served by the utility but the Wilkinsburg Councilmen very frankly say they intentionally kept the matter a secret, fearing that if it became known before a price had been agreed upon other municipalities might bid up the price.

"The affair became known to a Gazette reporter several months ago and he immediately made inquiry regarding the matter from various borough officials. They explained the entire hope of the Borough Council and requested that the matter be held in confidence until such time as the enabling authority act had been agreed to by the Council.

"The Gazette, after learning that the local authorities had engaged the engineering firm of Peter F. Loftus to examine the Company properties and determine the value and condition of the Company, requested a copy of the report which was furnished and is published in full on page nine of this edition of the Gazette.

"The Gazette learned that the price first asked by the stockholders of the company was $98 a share, making a total of $8,400,000. . . . The Loftus Company, however, recommended that a price of $71 per share, or a total of $7,880,000, be paid for all shares offered for sale. This was agreed to by the Mellons.

"A Gazette reporter submitted the Loftus report to an iron expert, with the request that an opinion of the condition of the underground pipes be made. He declared that the water lines would be of cast iron and that no guarantee was ever given by pipe makers as to how long underground pipe would last.

"He stated that the history of cast iron pipe indicated the pipe should be of service, with but minor breaks, for a period of eighty years, but that the rotting of the pipes was determined by the chemicals in the water that was carried, the pressure of that water and the chemical condition of the soil in which it was buried.

"The Loftus Company guessed that the underground equipment of the property was in as good operating shape as the above ground properties.

"A Gazette reporter polled a majority of the members of the proposed authority regarding any future increase in the water rents now charged by the utility.

"All agreed that no increase was contemplated and that as the Company was to be owned in the future by a municipality instead of private owners there would be an excellent chance for future water rent reductions.

"The question as to whether the residents of Wilkinsburg would be given a lower water rate over the other municipalities served was answered by "No that was impossible according to law."

"A majority of the Authority members were questioned (all available about the possibility of the company being continued under the jurisdiction of the Pennsylvania Public Service Commission. They all thought it was a good idea.

"The Gazette reporter put the question to various members of Council regarding possible political operation of the Water Company—the old fear of any politically owned utility. Burgess Rowland answered that by pointing to the calibre and character of the men on the Authority, none of whom have any connections with politics.

"Mr. Maxwell described the method by which the members of the Authority were selected. He declared that, by agreement, each of the nine members were requested to submit five names of Wilkinsburg citizens with the further agreement that the names being submitted the most times would be chosen. In all, Maxwell declared, about two dozen names were submitted.

"E. D. Rudolph, whose name was on most of the Councilmen's lists, was given the long term, five years, and the others according to the number of Councilmen who chose them.

"In discussing the secrecy of the matter Councilman Maxwell declared it was a matter of good business to keep it a secret to keep the price down and that Wilkinsburg had the chance of buying the Company at no risk or risking buying its future water from some other community or a possible private owner at a higher rate as private owners may be required to raise water rates to meet Federal taxes while a municipally-owned company would be tax free."

Now, here is the story of the Country Editor, as I said:

"Now about the Pennsylvania Water Company affair.

"Nothing I can ever remember has exploded with such a little noise that scared so many people at the same and started so many people running in every direction at the same time.

"As has been vigorously and loudly and indeed somewhat profanely predicted for ten days, the Water Company 'deal' burst its ill-timed bonds and is spreading in every direction.

"The facts of the matter, as I know them (and I think I know them) are somewhat as follows: a couple of months ago I smelled something cooking in City Hall. It didn't take too long to find out the truth—that the Borough of Wilkinsburg was considering the purchase of the Pennsylvania Water Company. The sum asked was eight million, four hundred thousand dollars by its principal stockholders, the estates of the late A. W. and R. B. Mellon.

"At that time there was no decision to purchase the utility; it was being discussed.

"Hot after a story I was told everything I asked and showed all written materials on hand dealing with the situation.

"It was suggested that the matter be kept in confidence until more was learned of the proposal, lest some other community, in view of the reputation of the Pennsylvania

Water Company for being a profitable utility, step into the picture and snatch the business over by bidding more money than was contemplated by Wilkinsburg.

"Mayor Scully's ambitions to extend the limits of Pittsburgh was a boogy.

"Like everybody else I have heard many stories about this and every other utility; about its owners trying to sell it long ago; about its property being worn out and would soon have to be replaced.

"I dug deeper into the business and learned from what I consider skilled businessmen and financiers, that the price was not too far wrong. I learned that original owners have either died or are desirous of leaving the public utility field.

"I learned that an Authority is not primarily to protect the municipal owner of a utility but to protect the consumers of a utility, I learned that the Borough would legally guarantee to treat all consumers alike, that no one municipality, including Wilkinsburg, would be given any preferred rate for water—by the indenture to be agreed on.

"I knew before I started that the consumers would eventually pay for it and the forty year bonding period says just that. Anybody would know that.

"I thought it would be a good idea to have representatives of other municipalities represented in the management and learned that it is not possible by law unless they are also owners. I discovered that to place the ownership in the hands of all consuming municipalities would not be agreed to by the owners—the Mellons know something about business and have had some little experience at it.

"I was particularly interested in who would be named to operate it by being named on the authority—that is the burning question in all municipal—owned utilities—as witness the Pittsburgh ownership of its own water company and the political appointments (both modern and ancient) who have been named to it. I knew if politicians were named to the Authority they could only be removed by three methods—by their term expiring, by being convicted of malfeasance, or by death. When I learned of the method of choosing the authority, their business and financial experience and their complete, non-political background, I felt content—at least for the first three years—after that it will be up to the public and the public press to watch who will make the appointments.

"I finally was given a copy of the Peter F. Loftus report of the company; its holdings, condition and the recommendations for financial readjustments—a half million dollars lower.

"When it was unofficially agreed to I thought it was time to tell folks about it. Apparently it didn't gee with the fears of the Council who was afraid Wilkinsburg would be certain to be buying its water from another municipality that wouldn't hestitate to pipe condensed maple sugarwater through the mains if they could supply their own ward heelers to the hundred and some jobs of the water company.

"The members of Council felt they had arrived at a good decision that would win them the plaudits of their community. I warned that the publishing of the ordinance would keep the secret about as secret as a Tommy Manville divorce—they wanted one more week. I warned that the thing would break last week and it broke in the Pittsburgh Sun-Telegraph Friday—and a country newspaper lost a scoop—which is not, however, highly important to a weekly newspaper.

"The important thing is that the awkward efforts to maintain dignity, maintain secrecy, keep from lying and just plain lying have resulted in a situation that has brought three law suits and one Senate investigation in three days.

"Solicitor Rundel of Edgewood and Solicitor Dierst of Swissvale got wind of the affair and immediately demanded information—as is their duty to their clients. They were met with dignified silence. It proved that dignified silence is not the answer to give a lawyer, even when another lawyer gives it—as that is a primary lesson in first year law school.

"The opposing attorneys (who have been joined by Solicitor Anne X. Alpern of the City of Pittsburgh) have taken the only action they could take as honest solicitors—but it was all so unnecessary—because our boys were intrigued with the idea that an eight million dollar purchase, involving 23,000 customers, could be kept a secret when the necessity for secrecy was long past—and indeed highly dangerous.

"I have printed the Loftus report on another page. It looks to be like a good proposition for Wilkinsburg and the Mellons, although I can't see how the other communities are either going to gain anything or lose anything.

"All the members of the Authority feel the company should continue under the jurisdiction of the Pennsylvania Public Service Commission and there is good likelihood that the Legislature will shortly amend the present Authority Act and require that all municipally-owned utilities come under the authority of the Commission.

"The condition of the forty-year bonds, the underground pipes, the expenses, the replacements and the profits are explained in other columns of the Gazette. Financial statements of the Pennsylvania Water Company are available at the company offices.

"The Authority has indicated it does not intend to change the personnel in case it ever becomes an authority, but will keep the management of the company in the hands of capable water engineers.

"This is the story of the so-called water deal.

"Not to justify all of the secrecy in this matter but to suggest why many matters that should be very public are made secret, let me remind everybody concerned that Wilkinsburg recently raised taxes one-half a mill. This occurred after they theoretically discussed the expenditure of every department of the municipality. It was all done in a very expensive building, housing a room a half-acre in size, lined with row after row of plush-bottomed seats for interested citizens to be comfortable while observing their representatives govern.

"When it was done there was a full Council, a secretary, an engineer, a solicitor and the other gentleman being a part of the Government, mounted on the rostrum, while out in the half-acre of seats sat one, lone citizen, quietly (by reason of law) watching his town government raise the taxes, abolish a health department and do the things they do in places like that.

"I was the lonely fellow.

"All of that sometimes conspires automatically for secret government.

"If there are other important secrets of the water company affair I don't know of them.

"JOHN McDOWELL."

Very frankly I have cited this case as an example of what legally can be done under our present act. From experience, I know the Pennsylvania Water Company property to be a good property, to be a valuable property, and if I were a member of the council of Wilkinsburg I would certainly do everything in my power to acquire that property. I think that would be a splendid investment for the Borough of Wilkinsburg.

However, Mr. President, the thing I do object to about this transaction is this question of secrecy, and this is not the only instance where we have found the same thing to be true in our investigation.

Under the laws of the state as they exist today, we have made possible—and I am not making any accusations in this particular case and I do not care to have anyone infer that I do—we have made possible the greatest boondoggling age in the history of this state since the boondoggling of the 1890's, and I think everybody in our state has felt that those days were past beyond recall.

I call this to your attention because I want you to know the splendid job Senator Becker and his committee have done, and I know with that co-operation and with an investigation of affairs back home and with suggestions, before this Session of the Senate closes we can propose amendments to this bill that will stop the gap which will prevent many of these things from happening again in the future.

PERMISSION TO ADDRESS SENATE

Mr. THOMAS B. WILSON. Mr. President, it is desired that a meeting be held of the Committee on Labor and Industry, and I therefore suggest, if it is convenient, that a recess be now held for that purpose.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess for twenty minutes.

There will be a meeting of the Committee on Labor and Industry, a meeting of the Committee on Finance and a meeting of the Committee on Corporations.

Mr. THOMAS B. WILSON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. THOMAS B. WILSON, from the Committee on Labor and Industry, reported as amended, Senate Bill No. 46, entitled:

An Act relating to labor organizations protecting the rights of members thereof imposing certain responsibilities and duties upon the officers of labor organizations requiring the registration of foreign labor organizations, and prohibiting gifts by labor organizations to political organizations or candidates for election or nomination, and regulating the making of loans; conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties

Mr. WOODWARD, from the Committee on Finance, reported as committed, House Bill No. 548, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six (P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time

Mr. TALLMAN, from the Committee on Finance, reported as amended, House Bill No. 547, entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and by further defining the gross receipts tax liability of companies limited partnerships associations joint stock associations co-partnerships and persons engaged in the sale of electric energy.

Mr. SCARLETT, from the Committee on Finance reported as committed, House Bill No. 545, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

Mr. JONES, from the Committee on Banking, reported as committed, Senate Bill No. 291, entitled:

An Act to further amend section forty-nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by changing the provisions of subsection (b) thereof which authorize executors or administrators to make distribution and pay or deliver legacies without the audit of their accounts

Mr. WATKINS, from the Committee on Finance, reported as amended, House Bill No. 546, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations lmited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time by reducing the rate of tax eliminating the deduction for Federal taxes further defining net income authorzing the Department of Revenue to grant an additional extension of time for filng reports changing the method of reporting in certain cases reducing the interest penalty on unpaid taxes and making certain of the changes effected by this reenacting and amending act retroactive to a certain extent.

Mr. GELTZ, from the Committee on Finance, reported as amended, House Bill No. 1056, entitled:

An Act abolishing the entire Mercantile License Tax System repealing the various license taxes under said system except as to taxes already due abolishing certain offices and employments providing for the collection of delinquent taxes providing for the final settlement of accounts between the Commonwealth and county treasurers and making certain repeals.

Mr. McGINNIS, from the Committe on Finance, reported as committed, Senate Bill No. 501, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act," approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 203); and prescribing a limitation period within which such petitions must have been filed.

Mr. COLEMAN, from the Committee on Finance, reported as committed, House Bill No. 544, entitled:

An Act to reenact and amend the title of the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time.

BILLS INTRODUCED AND REFERRED

Mr. CARR read in his place and presented to the Chair Senate Bill No. 583, entitled:

An Act to further amend subsection (a) of section eight, and to amend section twelve of the act, approved the fifteenth day of May, one thousand nine hundred thirty-three (P. L. 553), entitled "An act relating to the financial responsibility of operators and owners of motor vehicles, and to make uniform the law with reference thereto; requiring operators and owners of automobiles, under certain circumstances, to furnish proof of financial responsibility, as herein defined; providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases; regulating insurance policies which may be accepted as proof of financial responsibility; imposing duties upon the Secretary of Revenue, the State Treasurer, and prothonotaries; and prescribing penalties." by further regulating the suspension and restoration of licenses, and the proof of financial responsibility; and providing a system for the payment of judgments against operators and owners of motor vehicles.

Which was committed to the Committee on Judiciary Special.

Mr. TALLMAN read in his place and presented to the Chair Senate Bill No. 584, entitled:

An Act authorizing the Commonwealth, any agency, instrumentality or political subdivision thereof and any private corporation owning an airport made available for use by the general public, to acquire by purchase or by exercise of the right of eminent domain, such free and unobstructed approaches to said airport across adjacent lands as may be necessary to permit safe landing and taking-off from it and to prevent the use of such adjacent lands for any purpose which may obstruct the aerial approach to the airport; and providing for the use of such adjacent lands in such manner as not to interfere with such free and unobstructed aerial approach.

Which was committed to the Committee on State Government.

Mr. CRIDER read in his place and presented to the Chair Senate Bill No. 585, entitled:

A Supplement to the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities; persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," establishing an additional route in the County of Adams.

Which was committed to the Committee on Highways.

He also read in his place and presented to the Chair Senate Bill No. 586, entitled:

An Act to amend route 01050 of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," by changing said route.

Which was committed to the Committee on Highways.

Mr. KEPHART read in his place and presented to the Chair Senate Bill No. 587, entitled:

An Act authorizing the treasurer of any city or county of the first class, during the continuance of the hostilities incident to the present war, and for six months thereafter, to invest money in the treasury of such city or county, not required for immediate use, in certain obligations of the United States Government, and to sell or have the same redeemed.

Which was committed to the Committee on Municipal Government.

He also read in his place and presented to the Chair Senate Bill No. 588, entitled:

An Act temporarily permitting the importation and use of certain liquor in this Commonwealth upon securing permits, paying taxes, and affixing stamps to such liquor.

Which was committed to the Committee on Finance.

He also read in his place and presented to the Chair Senate Bill No. 589, entitled:

An Act to further amend section four hundred two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department, board commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth" by providing for audit of the Department of the Auditor General and imposing certain duties upon the Governor of the Commonwealth.

Which was committed to the Committee on State Government.

He also read in his place and presented to the Chair Senate Bill No. 590, entitled:

An Act to amend section six hundred four, section six hundred five, and to add section six hundred eight to the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by further defining the duties of the Auditor General, the State Treasurer and the Secretary of Internal Affairs, and requiring fiscal reports to be filed with the Governor by all administrative departments, boards, and commissions.

Which was committed to the Committee on State Government.

Messrs. HOLLAND and DENT read in their places and presented to the Chair Senate Bill No. 591, entitled:

An Act to further amend section two hundred two of, and to add sections four hundred fifty-three and one thousand seven hundred eleven to, the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," creating a departmental administrative board in the Department of Agriculture known as the State Farm Security Board; providing for the appointment of members; defining powers and duties of the board; and making an appropriation.

Which was committed to the Committee on State Government.

Messrs. GOURLEY, BOWERS and WOODRING read in their places and presented to the Chair Senate Bill No. 592, entitled:

An Act to amend section three hundred five and subsection (d) of section four hundred one, of the act, approved the twenty-second day of May, one thousand nine hundred thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending; revising and consolidating the law relating thereto; and repealing existing laws," further fixing the compensation of elected county assessors in boroughs and townships of the second class, and authorizing the county commissioners in counties of the fourth class in certain cases to extend the time limit for assessors to complete their assessment.

Which was committed to the Committee on County Government.

Mr. LETZLER read in his place and presented to the Chair Senate Bill No. 593, entitled:

An Act relating to vocational rehabilitation; accepting the provisions and benefits of the act of Congress, approved the second day of June, one thousand nine hundred and twenty, entitled "An act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment"; providing for the rehabilitation of persons disabled in industry and their return to civil employment; imposing duties upon the Bureau of Rehabilitation, the Department of Labor and Industry and the State Treasurer.

Which was committed to the Committee on Labor and Industry.

Mr. DEITRICK read in his place and presented to the Chair Senate Bill No. 594, entitled:

An Act to amend section one of the act, approved the twelfth day of May, one thousand nine hundred and thirty-nine (P. L. 133), entitled "An act to regulate the sale and possession of sulfanilamide and its derivatives in the interest of public health," by excepting derivatives labeled and usable only for topical application.

Which was committed to the Committee on Public Health.

TIME OF NEXT MEETING

Mr. THOMAS, offered the following resolution, which was twice read, considered and agreed to:

In the Senate, April 19, 1943.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday evening, April 26, 1943 at four o'clock; and when the House of Representatives adjourns this week it reconvene on Monday evening, April 26, 1943, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 19, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Esther H. Brown, Pittsburgh, 3563 Biglew Blvd.
W. A. Stoehr, Pittsburgh, 617 E. Ohio St., N. S.
Victor C. Viskochil, Pittsburgh, 82 Bascom St.
Mrs. Claire B. Weber, Bellevue.
Harry F. Wills, Pittsburgh, 128 Boulevard of Allies.

ERIE COUNTY

Mrs. Helen C. Nowak, Erie.
George A. Watt, North East.

LEBANON COUNTY

Ammon K. Gingrich, Lebanon.

LUZERNE COUNTY

Mrs. Mary H. Langan, Pittston.

McKEAN COUNTY

Paul W. Burdick, Bradford.

PHILADELPHIA COUNTY

Mrs. Elsie P. Hobson, Phila., 1518 Walnut St.
Maurice Rifkin, Phila., 716 Walnut St.
Mrs. Ethel S. Walton, Phila., 1306-14 Lincoln-Liberty Bldg., Broad and Chestnut Sts.

YORK COUNTY

Mrs. Miriam M. Forrest, York.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as Notaries Public, for terms of four years to compute from the dates set opposite their names:

BEAVER COUNTY

Miss B. M. Dunne, Ambridge, April 26, 1943.

LUZERNE COUNTY

Stephen Teller, Wilkes-Barre, April 26, 1943.

ALLEGHENY COUNTY

Howard I. Hausman, Pittsburgh, 1219 Plaza Bldg., April 27, 1943.
William S. Tindall, Homestead, April 27, 1943.

BUCKS COUNTY

Miss Elizabeth J. DeLacey, New Hope, April 27, 1943.

ERIE COUNTY

Carl G. Wright, Erie, April 27, 1943.

PHILADELPHIA COUNTY

Miss Mary Mandia, Phila., 1102 Commonwealth Bldg., 1201 Chestnut St., April 27, 1943.

WASHINGTON COUNTY

Chas. M. Hull, Canonsburg, April 27, 1943.

LEHIGH COUNTY

Miss Mary E. Zimmerman, Allentown, April 28, 1943.

PHILADELPHIA COUNTY

Henry G. Blood, Phila., 3218 N. Front St., April 28, 1943.
Adolph B. Caspar, Phila., 5942 Lansdowne Ave., April 28, 1943.
William E. Douglass, Phila., 1420 Walnut St., April 28, 1943.
Frank L. Lambert, Phila., NE Cor. 6th and Somerset Sts., April 28, 1943.
Robert J. Thompson, Phila., 3218 N. Front St., April 28, 1943.

WESTMORELAND COUNTY

C. L. Hugus, Greensburg, April 28, 1943.

ALLEGHENY COUNTY

L. H. McMillen, Carnegie, April 29, 1943.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

James J. Kuhar, Penn Twp., Verona.
Mrs. Gladys F. May, Pittsburgh, Farmers Bank Bldg.
Miss Mary P. Meyer, Haysville.

LACKAWANNA COUNTY

Robert Brown, Scranton.

LUZERNE COUNTY

Joseph Belcastro, Wilkes-Barre.

MERCER COUNTY

Frank Ciotola, Farrell.

PHILADELPHIA COUNTY

Stanley L. Witmer, Phila., 1607 S. 20th St.

WASHINGTON COUNTY

Miss Indamae Cain, Washington.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess until 9:00 o'clock p. m.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. HEYBURN. Mr. President, I move that the Senate do now return to the order of business of reports of committees.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

Mr. THOMAS, from the Committee on Municipal Government, reported as committed, Senate Bill No. 576, entitled:

An Act to add clause fifty-five to section two hundred four hundred three of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the sale of unused and unnecessary land and building.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 570, entitled:

An Act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities, and county institution district, purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the offices of assistant assessor and assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 587, entitled:

An Act authorizing the treasurer of any city or county of the first class, during the continuance of the hostilities incident to the present war, and for six months thereafter, to invest money in the treasury of such city or county not required for immediate use, in certain obligations of the United State Government, and to sell or have the same redeemed.

He also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 400, entitled:

An Act to ratify, confirm, and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

Mr. JAMES, from the Committee on Appropriations, reported as committed, Senate Bill No. 440, entitled:

An Act creating a Commission for the Port of Chester; providing for the appointment of the members of said commission; defining its powers and duties; and making an appropriation to defray its expenses.

Mr. STEVENSON, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 470, entitled:

An Act authorizing and creating an Anthracite Mine Subsidence Commission within the Department of Mines of the Commonwealth of Pennsylvania; defining its jurisdiction and powers, its duties to undertake studies and prepare such plan or plans as shall be deemed necessary to conserve anthracite; to prevent the loss of life both on the surface and underground; to prevent the destruction of property. both underground and on the surface, as a result of subsidences due to the removal of coal; providing for the common good of the people in the Anthracite Region and the Anthracite Industry; authorizing the commission to enter anthracite mines and the surface above such mines, and to designate locations for bore holes for flushing mines; providing for employes of said commission and their salaries; imposing duties upon the commission and making an appropriation.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 547, entitled:

An Act making an appropriation for the expenses of the Committee of the Senate created by Senate Resolution Number three (Serial No. 66) adopted the twelfth day of July, one thousand nine hundred forty-one, to investigate rioting in Donaldson, Schuylkill County.

REPORT OF CONFERENCE COMMITTEE ON SENATE BILL No. 133, PRINTER'S No. 269

Agreeably to order,

The Senate proceeded to the consideration of the Conference Committee Report on Senate Bill No. 133, Printer's No. 269, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL No. 133

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 133, entitled: "An Act to further amend subsection (c) of section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled 'An act relating to insurance, amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws,' by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground and to underground passageways, gangways, airways, drifts, slopes, shafts, overcasts and stoppings of mining operations."

Respectfully submit the following bill as our report:

A. H. LETZLER,
JOHN J. HALUSKA,
GEO. A. WADE,
(Committee on the part of the Senate.)

G. EDGAR KLINE,
FRANK J. TIEMANN,
HARRY P. O'NEILL,
(Committee on the part of the House of Representatives.)

An Act to further amend subsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located underground and to underground passageways gangways airways drifts slopes shafts overcasts and stoppings of mining operation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1632) is hereby further amended by adding thereto after clause eleven a new clause to read as follows

Section 202 Purposes for Which Companies May Be Incorporated

* * * * *

(c) Stock casualty insurance companies may be incorporated for any or all of the following purposes

(1) Guaranteeing the fidelity of persons holding places of public or private trust guaranteeing the performance of contracts other than insurance policies guaranteeing the performance of insurance contracts where surety bonds are accepted from insurance companies by States or municipalities in lieu of actual deposits executing or guaranteeing bonds and undertakings required or permitted in all actions or proceedings or by law allowed and indemnifying banks bankers brokers financial or moneyed associations or financial or moneyed corporations against the loss of any bills of exchange notes drafts acceptances of drafts bonds securities evidences of debt deeds mortages warehouse receipts bills of lading documents currency money gold platinum silver and other precious metals refined or unrefined and articles made therefrom jewelry watches necklaces bracelets gems precious and semi-precious stones and also against loss resulting from damage except by fire to the insured's premises furnishings fixtures equipment safes and vaults therein caused by burglary robbery holdup theft or larceny or attempt thereat except against loss caused by marine risks or risks of transportation or navigation Provided however That indemnification against the loss of such property may include loss occurring during transportation by an armored motor vehicle accompanied by one or more armed guards Also guaranteeing any Federal Land Bank against loss by reason of defective title or incumbrances on real property on which any such Federal Land Bank may make a loan secured by a mortgage

(2) To insure against injury disablement or death resulting from traveling or general accident and against disablement resulting from sickness and every insurance appertaining thereto including a funeral benefit to an amount not exceeding one hundred dollars

(3) To insure against loss of and damage to glass including lettering and ornamentation thereon and the frame in which the glass is set resulting from breakage of the insured glass

(4) To insure any one against loss or damage resulting from accident to or injury fatal or non-fatal suffered by an employe or other person for which the person insured is liable or against loss or damage to property caused by horses or by any vehicle drawn by animal power for which loss or damage the person insured is liable

(5) To insure steam boilers and pipes flywheels engines and machinery connected therewith or operated thereby against loss caused by explosion or accident and against loss of or damage to life person or property resulting therefrom and against loss of use and occupancy caused thereby and to make inspection of and issue certificates of inspection upon such boilers pipes flywheels engines and machinery

(6) To insure against loss or damage by buglary larceny theft robbery forgery fraud vandalism or malicious mischief (or any one or more of such hazards) and to insure against any and all kinds of loss or destruction of or damage to moneys securities currencies scrip coins bullion bonds notes drafts acceptance drafts bills of exchange and other valuable papers or documents except while in the custody or possession of and being transported by a carrier for hire or in the mail and against loss or damage to automobiles and aircraft by buglary larceny or theft vandalism or malicious mischief confiscation or wrongful conversion disposal or concealment whether held under conditional sale contract or subject to chattel mortgages or otherwise or any one or more of such hazards

(7) To carry on the business of credit insurance or guaranty either by agreeing to purchase uncollectible debts or otherwise and to insure against loss or damage from the failure of persons indebted to the insured to meet their liabilities

(8) To insure any goods or premises against loss or damage by water or other fluid caused by the breakage or leakage of sprinklers pumps or other apparatus erected for extinguishing fires or of other conduits or containers or of water pipes or caused by casual water entering through leaks or openings in buildings and against accidental injury from causes other than fire or lighting to such sprinklers pumps water pipes conduits containers or other apparatus and against damage from use or occupancy of premises by reason of such loss or damage

(9) To insure against loss or damage to elevators or other property except loss or damage by fire caused by the maintenance operation or use of elevators and machinery loss or legal liability for damage to property resulting from such operation maintenance or use of elevators

(10) To insure horses cattle and other live stock

(11) To insure against loss or damage to automibiles and airplanes seaplanes dirigibles or other aircraft (except loss or damage by fire or while being transported in any conveyance by land or water) including loss by legal liability for damage to property resulting from the maintenance and use of automobiles and airplanes seaplanes dirigibles or other aircraft

(12) To insure against loss or damage to machinery pumps transporting hoisting and ventilating apparatus and equipment of mines while located underground and loss or damage to underground passageway gangways airways drifts slopes shafts overcasts and stopping in the mines

Provided however That any casualty company which is authorized to transact business in this Commonwealth shall not expose itself to any loss or hazard on any one risk authorized by this paragraph in an amount exceeding ten per centum of its capital and surplus unless it shall be protected in excess of that amount by reinsurance

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS, RECALLED FROM GOVERNOR

Agreeably to order,

The Senate resumed the consideration of House Bill No. 373, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety, regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth, providing for the titling, including liens encumbrances and legal claims, registration of certain vehciles and licensing the operators thereof upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers, providing that records are admissible as evidence, imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties, imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds;" changing the definition of "dealers," providing for the issuance and use of temporary registration cards and temporary registration plates or markers, and prescribing penalties.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

[illegible]r,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring.
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE

BILLS OVER IN ORDER

Mr. JONES. Mr. President, I ask unanimous consent that Senate Bill No. 80, on final passage entitled:

An Act to repeal the act approved the twenty-first day of March, one thousand nine hundred twenty-nine, (P. L. 34), entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers, typists and clerks to facilitate the business of the courts, and to provide for the payment of their compensation by the county, and validating former employments and payments therefore"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimuos consent that Senate Bill No. 361, on final passage, entitled:

An Act regulating commercial strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, including issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

SENATE BILL No. 477, PRINTER'S No. 243 PLACED ON POSTPONED CALENDAR

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 477, Printer's No. 243, on final passage, entitled:

An Act to amend the act, approved the twenty-fifth day of May, one thousand nine hundred and thirty-three (P. L. 1001), entitled "An act providing for the regulations of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by transferring to the Pennsylvania Public Utility Commission the powers and duties conferred and imposed upon the Department of Revenue, and directing that the cost of administering said act shall be segregated on the books of the commission and changing disposition of penalties collected

be placed upon the Postponed Calendar.

Mr. CROWE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 518, as follows:

An Act to amend section one hundred and one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" defining certain additional words and phrases when used in statutes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one hundred and one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes" is hereby amended by amending paragraph (41) thereof and by adding thereto paragraph (112) as follows

Section 101 Definitions The following words and phrases when used in any law hereafter enacted unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section * * * *

(41) "Farm product" or "agricultural product" any agricultural horticultural vegetable fruit and floricultural product of the soil livestock and meats wool hides poultry eggs dairy products nuts mushrooms and honey

(112) The words and phrases "cessation of hostilities" "duration of the war" "termination of hostilities" "termination of the war" "duration of the present war" and similar words and phrases appearing in laws enacted after the declaration of war by the United States upon Germany Italy Japan and their several Allies shall refer to and mean that point of time or until that point of time when the Governor of the Commonwealth of Pennsylvania shall by proclamation inform the people thereof that hostilities between the United States and its enemies have ceased or terminated

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Becker,
Bowers,
Carr,
Chapman
Crider,
Crowe,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—11

Barr,
Cox,
Dent,
Gourley,
Haluska,
Holland,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL ON THIRD READING RECALLED FROM GOVERNOR

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 135, entitled:

An Act to amend section seven hundred sixteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances and making it unlawful to buy or sell raccoons for propagating purposes.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 92, on third reading, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 155, entitled:

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" exempting for the duration of the present war persons in the armed forces from the payment of a fee to the Commonwealth for resident fishing licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 834) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees For the purposes of this article every person sixteen years of age and upward upon application to any issuing agent within the Commonwealth or to the Department of Revenue and upon the establishment of his identity to the satisfaction of the issuing agent or the Department of Revenue by producing a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of sixty days next preceding his application and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the issuing agent or the Department of Revenue of a license fee of one dollar and fifty cents ($1.50) for the use of the Commonwealth and in the event that the license is issued by an issuing agent a fee of ten cents (10c) for the use of the issuing agent be entitled to the license herein referred to as "a resident fishing license"

For the duration of the present war any person with the above qualifications who is in service with the armed forces of the United States shall be issued such license without the payment of the above license fee provided for the use of the Commonwealth

The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization

In case the license certificate is lost or destroyed a duplicate can be secured from the Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate and in case both the license certificate and the button are lost or destroyed a new license and button may be secured from the Department of Revenue upon making affidavit to that effect and the payment of a fee of fifty cents (50c)

Upon the making of an application by any person to the Department of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar ($1.00) for the use of the Commonwealth such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch below the bridge at the Northumberland Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River below Easton in accordance with the provisions of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—1

Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 176, on third reading, entitled:

An Act to amend the act approved the twenty-eighth day of July, one thousand nine hundred and forty-one (P. L. 541), entitled "An act authorizing county commissioners to sell seated anl unseated lands purchased at tax sales upon which the period of redemption has expired, and validating certain sales heretofore made," extending the time within which sales may be made

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 304, on third reading, entitled:

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 305.

Mr. BARR. Mr. President, I would like this bill to be read slowly so that everybody can know what they are voting on.

The PRESIDENT. The Clerk will read the bill clearly and slowly.

The Senate again proceeded to the third reading and consideration of Senate Bill No. 305, entitled:

An Act to further amend the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating ve
hicles for moving furniture and household goods an
boards of school directors and imposing penalties"
changing certain provisions of said act relating to
moval notices and eliminating electors' rights to file
moval notices in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twenty-one of the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agent certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) is hereby further amended to read as follows

Section 21 Who May Register Who May Vote Electors Need Register Only Once Exception

Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualification before the next ensuing general or municipal election shall be entitled to be registered as herein provided and no person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address or has removed his residence to another [district] address in the [city] same district and has filed a removal notice as provided by this act unless his registration is cancelled by the commission by reason of his failure to vote during the certain period as herein after provided or for any other reason under the provisions of this act

Section 2 Section twenty-eight of said act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) is hereby further amended to read as follows

Section 28 Removal Notices [(a)] The Commission shall provide forms of removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room apartment flat or floor in his residence if a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present address (4) the serial number of his registration card (5) space wherein the elector shall sign his name and insert the date of signing (6) space wherein two registered electors of the district to which he has removed shall sign their names and addresses certifying to the truth of the statement on said notice as to his present place of residence The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice having it witnessed as aforesaid and returning it to the office of the commission [secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date his removal into the new district] have his change of sidence entered on the registers Each removal notice all contain a warning to the elector that the notice will be accepted [as an application for transfer of the tor's registration] unless the signature thereon can be identified by the commission with the elector's signature in the general and district register and that if he notifies the commission of a change of his residence address knowing or having reason to know that he is not entitled to have his residence address changed he shall be guilty of a misdemeanor and subject to the penalties as provided by this act Each removal notice to be effective must be received either through the mail or by delivery at the office of the commission postmarked or delivered as the case may be not later than the [fiftieth] tenth day prior to any [general or] primary or election [and not later than the thirty-fifth day prior to any municipal election] and must have been signed by the elector within ten days prior to the date of mailing or delivery Warning of these provisions shall also appear on each removal notice form

[(b) Any elector who removes his residence from one place to another within the same election district shall notify the commission by filing a removal notice with the commission in the manner herein provided not later than ten days next preceding the primary or election]

Section 3 Section twenty-nine of said act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) is hereby further amended to read as follows

Section 29 [Transfer of Registration] Recording Change of Residence (a) Upon receipt of a removal notice properly filled out and executed on the form prescribed by the commission within the [times] time and in the manner provided by this act containing the required information and setting forth a removal of residence to another location in the same [city] district the commission shall cause the signature thereon to be compared with the signature on the registration affidavit of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the registers [and if the removal shall have been from one election district to another in the same city shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence] In any case the commission shall advise the elector promptly in writing of its action

[(b) Provided That when a removal notice or application provided for in clause (d) of this section believed authentic by the commission as aforesaid shall have been received at the office of the commission and shows thereon a removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration affidavit of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any case the commission shall advise the elector promptly in writing of its action]

(c) If the commission shall doubt that the request is authentic it shall without [transferring the registration or] entering the change of residence [as the case may be] promptly notify the elector that it will be necessary for him to apply in person at any office of the commission to have the [transfer or] change of residence entered in the registers

(d) No elector who is unable to write his name shall be permitted to apply for [transfer of registration or] the recording of his change of residence by use of a written removal notice but each such elector must apply in person at any office of the commission or any place of registration on one of the days at such time as prescribed for the registration of electors establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar clerk or commissioner who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice Any other elector may also appear in person at any office of the commission or any place of registration on any of the said days and apply for the recording of his change of residence within the [city] same district in which case the signatures of two registered electors of the district shall not be required if such elector shall establish his identity and after stating under oath or affirmation the information required in a removal notice shall sign the same in the presence of a registrar clerk or commissioner who shall affix his own signature thereto as a witness

(e) Immediately upon the receipt of a removal notice by the commission it shall note thereon the date of receipt and number the same in the order of its receipt and shall forthwith mail to the elector [at the address to which he has requested his registration to be transferred] an acknowledgment of the receipt of such notice stating the date of receipt and the number assigned to it and that the elector will be advised by the commission of the action taken thereon Each acknowledgment so mailed shall contain on the outside a request to the postmaster to return it to the commission within five days if it cannot be delivered to the addressee given thereon and not to forward the same to any other address In the event that any such removal notice shall be filed or application made for [transfer of registration or] the recording of his change of residence as provided in clause (d) of this section by an elector at any place of registration or at any office of the commission a similar acknowledgment shall be delivered to him by the registrar clerk or employes receiving the same signed by him Provided however That such removal notices and applications shall be numbered by the registrar clerk or employe in the order of their receipt at the respective registration places or offices The Commission may cause blank forms of acknowledgments to be physically attached to the removal notices and applications and may require the elector to insert his name and new address thereon before filing the same

[(f) Nothing contained in this act shall be construed as to prevent any elector who after having been registered under the provisions hereof has removed his residence to another location in the city in lieu of filing a removal notice or application as provided herein from again applying for registration at any office of the commission or any place of registration and being registered as an elector of the district in which he shall then reside if such elector shall then be qualified The commission shall thereupon cancel such elector's prior registration or registrations]

Section 4 Clause (f) of section thirty-one of said act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) is hereby amended to read as follows

(f) Upon receipt of any report provided for in this section the commission shall forthwith cause to be sent by mail to each person so reported as having removed and to each member of his family and household who is registered under the provisions of this act a notice warning each such person that it will be necessary for him to execute and file a removal notice in order for him to be eligible to vote at ensuing elections if he continues to live in the [city] same district Where the report lists the residence address to which any such person shall have removed and such residence address is located in the [city] same district the notice together with a removal notice form shall be sent to the new residence address of such person Where the report does not list the residence address to which such person has removed it shall be sent to the last residence listed on the registration affidavit of the person reported or to the address listed on the report if they differ or to both addresses For the purposes of this subsection the commission shall cause to be printed postcards of suitable size in such manner that a removal notice in the form provided for by subsection (a) of section twenty-nine of this act shall be physically attached thereto The notice shall contain a direction to the postmaster that he is to forward the postcard or if no forwarding address is known to return the card within five days to the office of the commission

Section 5 Clause (a) of section thirty-eight of said act as amended by the act approved the thirty-first day of July one thousand nine hundred forty-one (P. L. 710) is hereby further amended to read as follows

(a) Any person whose registration affidavit appears in the district register of any election district in the city and who upon applying to vote shall have signed his name to a voter's certificate in the form hereinafter provided as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting bribery at elections If however the signature on the voter's certificate as compared with the signature as recorded in the district register shall not be deemed authentic by any of the election officers such elector shall nevertheless not be denied the right to vote for that reason but shall be considered challenged as to identity and required to make the affidavit and produce the evidence as provided in clause (e) of this section Provided however That any person applying to vote who claims that he is a duly registered and qualified elector of the election district shall be permitted to vote subject to all other requirements and provisions of this section although his registration affidavit does not appear in the district register if it shall appear by the street list posted in the district and the list accompanying the district register as hereinbefore provided that he is a registered elector of the district and that his registration affidavit should have appeared in the district register both inspectors of election agreeing as to his identity or if upon application the proper court of common pleas shall have ordered the election officers to accept such elector's vote Provided further That any such person shall be considered challenged as to identity and residence and be required to produce the evidence as provided in clause (e) of this section and shall also be required to swear or affirm to a special affidavit on forms prepared and furnished by the commissioners in charge of elections stating his name address the date when and place where he was registered that since having registered he has resided continuously at the same address or if he has since changed his residence to another address in the city that he [has] had in all respects complied with the provisions of this act then effective to secure the transfer of his registration to his present address stating the time when and the manner in which he complied with such provisions that his registration has not been cancelled for any reason that he is in all respects entitled to vote as a qualified and registered elector of the district and that the absence of his registration affidavit from the district register of the district is not due to any fault or omission on his part All such affidavits shall be numbered in the order in which they are executed and the election officer in charge of the voter's certificates shall note on the voters' certificate of any such person being so permitted to vote that fact the reason therefor as hereinbefore provided and the number of the special affidavit executed by him After the closing of the polls all such affidavits shall be arranged in numerical order by the election officers and together with such orders of the court or certified copies thereof received by them as aforesaid shall be sealed in an envelope to be furnished them by the commissioners in charge of elections and returned to the commission with the voting check list

Section 6 It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 7 The respective provisions of this act shall not impair or affect any act done offense committed or right accruing accrued or acquired or liability duty obligation penalty judgment or punishment incurred prior to the time such provisions take effect but the same may be enjoyed asserted enforced prosecuted or inflicted as fully and to the same extent as if this act had not been passed

Section 8 The provisions of this act shall become effective on the fifteenth day after its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

MOTION THAT BILL GO OVER IN ORDER

Mr. McGINNIS. Mr. President, I move that Senate Bill No. 305, go over in its order.

Mr. DENT. Mr. President, I second the motion.

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Shall the bill pass finally?

POINT OF ORDER

Mr. BARR. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Allegheny will state his point of order.

Mr. BARR. Mr. President, this bill has not been read three times; this bill was not read at length.

The PRESIDENT. The Chair rules that the bill has been read three times and agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. DENT. Mr. President and members of the Senate, I wondered, when you passed Senate Bill No. 176 over in order, why you would do so, when here was a bill of interest to every county in the state, one that has particular significance to the county commissioners who are endeavoring to put tax sale properties back into circulation in order that tax returns may again come into the counties to carry on the normal expenses of running the county governments. Every man in this Senate, I believe, knows exactly what Senate Bill No. 176 amounts to. However, we passed it over in order, and then we passed over in order Senate Bill No. 304. Of course, everybody knows why that was done, because its main features and provisions are included in the amended Woodward Bill No. 46.

I just wonder why you would pass a bill over in order at this time, when there is so much talk about getting things done here for the good of the people of Pennsylvania, and we take up at this time a political bill, and when I say political, I mean political in the bad sense.

Members of the Senate, thousands of defense workers, because of inability to get to their jobs, due to poor transportation facilities, shortage of labor and rationing of gasoline, have moved closer to their work wherever possible to do so.

Why take a mean advantage of the willingness of those men and women to co-operate and make our war effort successful?

We have before us a piece of legislation that will deprive them of the very thing that they are making weapons for, so that our boys can fight for the right of franchise, of free voting.

Do you realize, members of the Senate, that you are hereby taking from thousands of Americans the privilege of voting? You say, of course, you are not doing that, that they still have a system whereby they can still be registered. Oh, yes, they can still be registered all right, but you are afraid that the manner under the law today is too simple, by having registration cards they can have their change of address taken care of and therefore be eligible to vote in the elections. What group are you keeping from voting? No trouble, or not too much trouble on behalf of the group of persons who are known as employers, rich landholders and so on, they get back and forth all right, they live in old established homesteads, their registration is safe, and they vote right; but you are not so sure the defense workers are going to vote right, especially after this session of the Legislature, when almost every right, almost every freedom, almost every gain that they had made under the liberal administration of Governor Earle that has not been taken from them during the James administration will be taken from them during this administration. You are disturbed that they may wake up and find out that they have been sleeping too long. Maybe you are even a little disturbed that they may look into your platform promises of fairness to labor and fair treatment to those who work and toil for a living. You are afraid that if they are on the eligible registration lists they may vote against the Republican Party, so you propose in Senate Bill No. 305 to disenfranchise them, to take away from them the greatest American right under the Constitution, take away from a man his right to vote, and then you have destroyed for him the very thing that the Constitution stands for.

Mr. President, there is no good valid reason for the passage of this bill; if there is, I am willing to listen to it. I defy any member of the Senate to give me a good reason, a good valid reason, for the passage of this kind of legislation, during a war period, when thousands upon thousands of workers are living in temporary quarters, if you please, close to their employment, in order that they can produce the goods with which to win this war, and here they are working six and seven days a week, long hours, and they find themselves on election day—and you all know this, that they will not know about this act being passed, a worker will not know that he has to go and register, he will not know that, and ninety per cent of them will go to the polls in their respective voting precincts with full confidence that as Americans they will be privileged to cast their votes for candidates of their own choosing.

What will they then find? They will find that the Farrell bill, Senate Bill No. 305, Printer's No. 171, passed by a Republican Senate, approved by a Republican House, and signed by a Republican Governor, has taken away from them the right of franchise, the right to vote, the right to cast their votes in a free American election.

Even Governor James, to his everlasting credit, had the courage to stand up against the politicians in the party and vetoed this piece of legislation, and although Arthur James, in his own way, did some things that I as a Democrat did not approve of, I have always given him credit for this and other acts, where he showed some spark of leadership and independence, which your party for many years has fostered and sponsored, in some of the greatest leaders that this state has ever had, and here you are digging deep down into the bag of political tricks and bringing up one of the worst monstrosities that any political mind ever created. You are taking from the defense worker who, through no choice of his own, has moved from the street where he was living, or down the street a couple of houses, you are taking from him the right to vote.

Do you not realize how serious this is? What was all this talk last week about Jefferson? Did you not learn anything sitting over in the House and hearing a couple of school boys talk to you, you men of mature age? Did you learn nothing about this man who conceived this particular nation of ours, who conceived the right of the people to vote, who took the attitude that all individuals were alike on election day? No, you did not learn anything. You just reached into your bag of tricks and you have come up out of that bag of tricks with what I call one of the worst pieces of legislation, especially in a wartime. Why take away from these men, these Americans that right? I am not sure how they are going to vote—for the last couple of years they may even have voted Republican or stayed at home—but that has nothing to do with it.

I appeal to you men, you members of the Senate on the other side, to search your consciences to see whether or not this particular type of legislation belongs on the statute books of Pennsylvania.

Mr. FARRELL. Mr. President, what the gentleman from Westmoreland says this bill does, that is just what it does not do. This bill prevents disfranchisement of voters one hundred per cent. This is a decent, honest registration bill for Philadelphia—we have never had one—and if I have not done one thing in the Senate of Pennsylvania during my two terms here, if this bill is passed, I have certainly added a step forward in the interest of good government.

Mr. President, I am sick and tired of political workers assisting voters, when it is the duty of the registration commissioners to register the voters.

This is the third registration bill I have introduced and if you pass this bill, you will have protection in registration; this bill is fool-proof.

Under the old registration bill the City Committee of the Democratic Party and the City Committee of the Republican Party go to the Commissioners of Registration and they each collect sixty thousand cards, and they use the workers to go out and register the voters—they are not sworn, they are not responsible, but they go to the voters. They will, for instance, go to one house and there are five, six or seven voters in that house. and they will ask them if they want to register, and they say they do want to register. These voters are not sworn but they fill out the cards, and then they talk politics and ask them their party, and if they happen to be of the opposite party to that of the political worker, they go outside and throw the cards in the ash can. There are thirty thousand voters in Philadelphia every year that are deprived of the right to vote, because political workers on both sides tear up the cards or throw them away. Only yesterday I heard a ward leader—I will not say whether Republican or Democrat—say that he tore up five hundred cards, and whether he be Republican or Democrat, that is outrageous.

This is one of the best registration bills, Mr. President, that I can think of. I just want to read to you what the Philadelphia Bulletin says about the bill, and the Philadelphia Bulletin is pretty nearly on the up and up.

In an editorial last Saturday the Philadelphia Bulletin says:

"A bill in the Legislature by Senator Farrell proposes to abolish the removal card privilege for those who change their voting divisions, and to require complete new registration in such cases. This is worth serious thought."

Now, Mr. President, let me tell you what this bill does. This bill is fair to Democrats and Republicans alike. How could it be otherwise? In Philadelphia at the last election one hundred votes separated Republicans and Democrats, out of a million votes.

When the Registration Commission registers a voter, these men are sworn, and they are known as traveling registrars. The Lord knows that I provided for a lot of traveling registrars in the last bill, two years ago, to take care of emergencies, but not to disenfranchise a single voter. It is the political workers who disenfranchise them.

By the way, these traveling registrars are trained, they are under bond, they are sworn, a voter appears before them—and that is the way it should be—the man appears before them to be registered, and it does not put him to much trouble, he gives his name, his address and his age and where he moved from—that is important, where he moved from is important—because no war worker is going to have any advantage on Lou Farrell. I have lived in one division for sixty-six years, and some fellow that moves here from Virginia, unless he puts his hand on the Bible and swears that he is a qualified voter, he is not going to destroy my vote. Mr. President, no political worker is going to destroy my vote, whether Republican or Democrat, he is not going to destroy my vote.

There has been a total of thirty thousand people in Philadelphia at one election, who went to the polls to find out that their cards were not in the folder, and they were told they could not vote. I live in the country, and to my utter surprise, at the last election ten people were told they could not vote, and I know why. A minister and his wife, a man who was badly wounded in the first world war, were turned away, were not permitted to vote, because a political worker had torn the cards up. A park guard came to my house last night and he said that forty voters in his division were denied the right to vote.

Mr. President, just what the gentleman from Westmoreland, Senator Dent, says this bill will do is just what this bill does not do. This bill prevents disfranchisement of voters.

Mr. President, let me tell you something, and I can say I was never more sincere in my life. A couple of years ago, the Common Pleas Court of Philadelphia sent Judges out to the voting districts to put men back on the voting lists that had been disqualified or disfranchised by political workers. Judge Allen Stearns, in my district, was one of the judges and I realy forget who the other judge was. I went to the station house to have a manufacturer and seven members of his family restored to the voting list but I threw up my hands when I went there and saw a station house as large as this room, with seven or eight hundred people standing there, all clamoring to be registered. This man is a big manufacturer, but I told him he might as well go home, as he was going to lose his vote.

Mr. President, under my bill, they will not lose their votes, nobody will lose his vote. This bill will stop the disfranchisement of voters, it will stop the political workers from registering people when it is the duty of the Registration Commission to register the voters, and nobody else, and this bill does that and that alone.

Mr. President, I will stand on this bill one hundred per cent as an honest registration bill for Philadelphia, and I do not care who it favors or who it hurts. It certainly will not harm the war worker, he is no better than Lou Farrell, I have to walk into the polls to register, put my hand on the Bible and swear to all questions asked, and he certainly has to do the same thing.

Mr. DiSILVESTRO. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. Farrell.

The PRESIDENT. Will the Senator from Philadelphia permit himself to be interrogated?

Mr. FARRELL. I will, Mr. President.

Mr. DiSILVESTRO. Mr. President, how many registrations does the Senator from Philadelphia expect before the Registration Commission for the coming election?

Mr. FARRELL. There are a million voters in Philadelphia, and when you talk registration to me, I know, I speak that language, for this coming year there will be between 90,000 and 100,000 registrations.

Mr. DiSILVESTRO. Will the Senator from Philadelphia tell me where the Registration Commission offices are?

Mr. FARRELL. On the fourteenth floor of City Hall annex, but I might suggest that under my bill of two years ago it gave the Registration Commission unlimited traveling registrars to take care of every emergency.

Mr. DiSILVESTRO. How many elevators are in that building?

Mr. FARRELL. Six passenger elevators, and two freight elevators.

Mr. DiSILVESTRO. Has the Senator from Philadelphia ever experienced the taking of prospective voters to the Registration Commission on the fourteenth floor?

Mr. FARRELL. Many times, Mr. President.

Mr. DiSILVESTRO. Many times?

Mr. FARRELL. Yes.

Mr. DiSILVESTRO. Mr. President, I thank the gentleman from Philadelphia.

The Senator from Philadelphia has stated in his own words that he is expecting between 90,000 and 100,000 new registrations; he has stated, this is his own testimony, that the Registration Commission offices are on the fourteenth floor of the City Hall annex.

The Senator from Philadelphia has stated that there are six passenger elevators and two freight elevators. In the name of common sense how does the Senator from Philadelphia expect 100,000 people to go to the fourteenth floor of the Registration Commission? How does he expect these men, whom he says he will not give one inch, even though they are war workers, to go and register? He says, "let them go register because I have to register too". How does he expect the war effort to be enhanced when he tells these men who come home weary with sweat on their brows from making bullets and building ships to prepare the nation for its ultimate victory, how does the Senator from Philadelphia, Mr. Farrell, expect these men to go up and register at City Hall.

He knows he does not expect them to go there. He knows that thousands of people will be discouraged, and he knows that when they know they will have to go up to the City Hall Annex Building, and find the elevators disabled and the fourteenth floor crowded, and that there is not sufficient number of clerks to make these new registrations, they will either stay away, or if they do go, they will walk away from the Registration Commission. So what do you fear, Senator Farrell?

In my district many of them vote Republican. I do not care, let them vote Republican, let them vote Democratic, that is their prerogative, that is their right under our Constitution. So what do you fear, Senator Farrell, they still may vote Republican. I think we are doing a grave injustice by passing this bill, because I think as Senator Farrel's statement, "let them register the way I have registered," is an unjust expression and I do not think he means it from the bottom of his heart. I think that Senator Farrell is patriotic enough to know that while they are at work to build our armaments we should stand side by side and not create an obstruction to their rights.

Senator Farrell, I have a very high regard for you. I know you are a gentleman and a good Senator, and do not let me change my opinion, when you say that the war workers should do what you do. God bless them, for they are building the essentials needed for ultimate victory, and I hope that after a good night's sleep you will change your vote.

Mr. FARRELL. Mr. President, not one person has to go to the fourteenth floor of City Hall Annex to register, with its six elevators and its two freight elevators, not one person. In this bill the power is given to the Registration Commission, unlimited power, to send trained registrars, not politicians or political workers, but to send trained registrars out into every ward, as often as is necessary, and there will not be one man inconvenienced and there will not be one man, if you pass this bill, that will be disqualified.

Mr. STIEFEL. Mr. President, the salient feature of the permanent registration act is the removal card. People have gone and registered and then they forgot about it for three or four years. By removing the removal cards as a feature of the Act you are scrapping the permanent registration act. I would prefer to have the same conditions as prevailed before 1937, when we had three registration days and had all voters re-register. I can not understand the thought it will be possible to prevail upon voters, people who move from one place to another, to keep on re-registering every time they move. Due to defense changes which are now prevailing Philadelphia will lose hundreds of thousands of voters.

This is the reason, Mr. President, why I maintain it is a misnomer to call this a permanent registration act, and if these removal cards are omitted, I say give us the old system, because under present conditions thousands of Philadelphians will be disenfranchised.

Mr. DENT. Mr. President, I can not doubt the sincerity of the gentleman from Philadelphia, Senator Farrell, but what he neglected to tell the members of the Senate was that the Registration Commission of Philadelphia is Republican controlled. They will name the traveling registrars in all probability, if it is done as it usually is in a political party, the very men that he condemns, political workers, will be the traveling registrars. There will be Republicans visting Republicans homes and the ones who will be disenfranchised will be the Democratic voters of the City of Philadelphia.

You fellows can nod your heads, but, you know, I am going to tell you something—we used to be cocky, we thought we had the state and the people, but, you know, the people of America have a way of finding out when they are being dragged around, and they do not like it—they do not like it whether you do it or we do it—and the time will come when you will pay for the sins you are now creating.

I say, sincerely and honestly, that this is a bill to disenfranchise war workers of Philadelphia who have moved, because of necessity in the war effort to live closer to their work, and the particular workers who will be disenfranchised will be the Democratic workers.

Mr. BARR. Mr. President, at the present time we have five different permanent registration acts on the statute books, one for Philadelphia, one for Scranton, one for Pittsburgh, one for third class cities and one for the boroughs and townships. Take all the camouflage away from this talk of Senator Lou Farrell and you find that the people of Philadelphia are going to be entirely different from any other county in the state. There is noly one reason for that—and he gave it in his speech, not meaningly—that the election was pretty close in Philadelphia last year and with the record that the Republican Party is making up here now he is afraid it is going to be, not close, but it is going to be on the Democratic side next year, and he is doing anything he can to block the war workers, who, I am sure after last week and this week, know what type of government is being given by the Republican majority in the House and the Senate and the Republican Governor.

The people of Pennsylvania are not dunderheads. Senator Reed once said in the United States Senate, they can read your Republican platform and they can read and see what you have done here and what they are doing here. The gentleman from Philadelphia quoted from the Philadelphia Evening Bulletin and said it was usually, to quote his expression, on the up and up. I want to read an editorial from the Philadelphia Evening Bulletin that appears today entitled "Taking Their Own Medicine;" and it reads as follows:

"TAKING THEIR OWN MEDICINE

"Everybody knows the story of the visitor who, inquiring for a restaurant proprietor, was told he was out to lunch—the implication being that he couldn't stand the food prepared in his own establishment.

"A similar situation prevails in the House at Harrisburg, where the members have been compelled to listen to a reading of their own bills—with this difference, that, unlike the restaurant man, they have no avenue of escape. The Constitution provides that bills shall be thus read, but it has been customarily ignored in the interest of speed. Now filibusterers have become great sticklers for constitutionality, and their fellow-members have been subjected to an endless barrage of legalistic verbosity.

"Conceivably the experience may prove wholesome. The job of trying to make sense out of laws has hitherto been left to members of the bar. Perhaps the horrors lately enacted at Harrisburg may persuade some legislators that bills ought to be shorter, simpler and easier to understand.

"By and large filibusters are obnoxious. But lawmakers compelled to assimilate their own product are likely to get scant sympathy from a public too long mystified by the linguistic convolutions of the word-slingers."

Mr. KEPHART. Mr. President, a few years ago we had personal registration in Philadelphia and at each election every voter had to register. That was changed to a permanent registration, with removal cards available. Senator Stiefel was erroneous in saying that this bill kills the good attributes of the latest bill, as it does not do any such thing, because if you still live in the same place you registered from, you continue to be registered and you are eligible to vote, without having to re-register.

This bill only makes it impossible for those who remove from one place to another to be disfranchised by having their removal cards torn up, and the bill enables them to register so that they will be sure of voting at the next election.

Mr. JASPAN. Mr. President and members of the Senate, this bill undoubtedly denies to many citizens of our state the right to vote.

Long years ago, our forefathers came to this country to escape religious persecution, economic insecurity and economic inequality. For years they enjoyed those privileges in this country, but as time went on, the father country, England, denied them the right of representation, although they taxed them. This was the primary cause of the revolution that started back in 1775, which had its beginning at Lexington on April 14, 1775. The basis for this revolution was taxation without representation.

The war went on for approximately one year, when the colonies, in their wisdom and cunning, decided to adopt the Declaration of Independence, giving every man the right to be represented. Let me quote, now, the Declaration of Independence as it was adopted back on July 4, 1776, in the City of Philadelphia, within only a stone's throw of my home:

"When in the course of human events, it becomes necessary for one people to dissolve the political bonds which have connected them with another, and to assume among the powers of the arth, the separate and equal"—Do you want to hear it? We will contnue on until the early hours of the morning; if you want a filibuster, you will get it.

"This pertains to the right to vote. Do you think this is a joke? It was not a joke to them, my friend—very important. You may laugh as you will, but it is very important to me and to the citizens of the state of Pennsylvania. This goes beyond the question of politics. I repeat:

"When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the Powers of the earth, the separate and equal station to which the Laws of Nature and Nature's God entitled them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government. laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security—Such has been the patient sufferance of these Colonies (this is before 1776) and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world."

Mr. President, and members of the Senate of Pennsylvania, this is a serious matter and not a joke, not something to be made light of, my friends. When you deny people the right to vote, you deny them everything, everything we have to live for, my friends.

Now let me continue with this Declaration of Independence.

"He has refused his Assent to Laws, the most wholesome and necessary for the public good.

"He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

"He has refused to pass other Laws for the accommodation of large districts of people, (understand me, for the accommodation of large districts of people) unless those people relinquish the right of Representation in the Legislature, (and our people have not relinquished that right in the Legislature) a right inestimable to them and formidable to tyrants only.

"He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their Public Records, for the sole purpose of fatiguing them into compliance with his measures.

"He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

"He has refused for a long time, after such dissolutions to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.

"He has endeavored to prevent the population of these States; for that purpose obstructing the laws for Naturalization of foreigners;" (and this is one instance in which foreigners desire to vote and when they move from one district to another, under our laws today, they do not desire to be disenfranchised, Mr. President.)

"Refusing to pass others to encourage their migration hither, and raising the conditions of new Appropriations of Lands.

"He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

"He has made Judges dependent on his Will alone, for the tenure of their offices, and the amount and payment of their salaries.

"He has erected a mutitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance.

"He has kept among us, in times of peace, Standing Armies without the Consent of our Legislature.

"He has affected to render the Military independent of and superior to the Civil Power.

"He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of Pretended Legislation:

"For quartering large bodies of armed troops among us:

"For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

"For cutting off our Trade with all parts of the world:

"For imposing taxes on us without our Consent:" (Imposing taxes on us without our consent, the very basis of the revolution which took place in 1775, and here we are today ready to deprive thousands in the state of Pennsylvania of the right of representation and yet tax them, mind you, my friends).

"For depriving us in many cases, of the benefits of Trial by Jury:

"For transporting us beyond Seas to be tried for pretended offenses:

"For abolishing the free System of English Laws in the neighboring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

"For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments: (Today we are trying to destroy one of the basic laws of our government).

"For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all cases whatsoever.

"He has abdicated Government here, by declaring us out of his Protection and waging War against us.

"He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the lives of our people.

"He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty & perfidy scarcely paralleled in the most barbarous ages and totally unworthy the Head of a civilized nation.

"He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

"He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions.

"In every stage of these Oppressions We have Petitioned for Redress in the most humble terms; Our repeated

Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

"Nor have We been wanting in attentions to our British brethren. We have warned them from time to time of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow those usurpations, which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity, which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace Friends.

"We, therefore, the Representatives of the United States of America, in General Congress Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, That these United Colonies are, and of right ought to be Free and Independent States;"

"And I take it, my friends, that we are free and independent and should give everybody the right to vote, and when we deny them that right to vote, we deny them everything that our forefathers fought for.

"That they are absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which Independent States may of right do. And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor.

JOHN HANCOCK.

NEW HAMPSHIRE

Josiah Bartlett,
Wm. Whipple,
Matthew Thornton.

MASSACHUSETTS BAY

Saml. Adams,
John Adams,
Robt. Treat Paine,
Eldridge Gerry

RHODE ISLAND

Step. Hopkins,
William Ellery.

CONNECTICUT

Roger Sherman,
Sam'el Huntingdon,
Wm. Williams,
Oliver Wolcott.

NEW YORK

Wm. Floyd,
Phil. Livingston,
Frans. Lewis,
Lewis Morris.

NEW JERSEY

Richd. Stockton,
Jno. Witherspoon,
Fras. Hopkinson,
John Hart,
Abra. Clark.

PENNSYLVANIA

Robt. Morris,
Benjamin Rush,
Benja. Franklin,
John Morton,
Geo. Clymer,
Jas. Smith,
Geo. Taylor,
James Wilson,
Geo. Ross.

DELAWARE

Caesar Rodney,
Geo. Read,
Tho. M'Kean.

MARYLAND

Samuel Chase,
Wm. Paca,
Thos. Stone,
Charles Carroll of Carrollton.

VIRGINIA

George Wythe,
Richard Henry Lee,
Th. Jefferson,
Benja. Harrison,
Thos. Nelson, Jr.,
Francis Lightfoot Lee,
Carter Braxton.

NORTH CAROLINA

Wm. Hooper,
Joseph Hewes,
John Penn.

SOUTH CAROLINA

Thos. Heyward, Junr.,
Edward Rutledge,
Thomas Lynch, Junr.,
Arthur Middleton.

GEORGIA

Button Gwinnett.
Lyman Hall,
Geo. Walton.

Mr. President, from 1776 to 1781, our colonies fought for their independence and fortunately for us today they were victorious and in 1783 the treaty of peace was signed.

In 1787, a Constitutional Convention met for the purpose of adopting a Constitution of the United States. That Constitution was adopted in 1789, giving the citizens, the people of our country, the right to vote, the right to enjoy all our branches of government, whether it be executive, judicial or legislative.

Now, let me read to you the Constitution of the United States. This is our constitution. I did not make it, I did not prepare it; it was prepared back in 1787 and finally adopted in 1789 by our forefathers, so that we could live as free men as set forth in our Declaration of Independence; whether we be rich or poor, black or white, we all have certain rights. I have a good voice; I have patience too. I am not finished yet; far from it.

The PRESIDENT. Will the gentleman from Philadelphia tell the Chair just what bill be is speaking on.

Mr. JASPAN. I am speaking on Mr. Farrell's bill. I am defending the right of certain people to vote, a right which was given to them by our Declaration of Independence, followed through by our Constitution of the United States, and our Constitution of the state of Pennsylvania, which was adopted in 1874, and you will get the amendments too. I want to be exact and precise on this and I do not want any mistake made about it.

The Constitution of the United States of America—that is a grand Constitution, and I think every man in this Senate, as a matter of fact, every man in the State of Pennsylvania, together with every citizen, and I will say foreigners in the United States, enjoy and respect this Constitution, and I hope my friends on the other side respect it, but tonight they are trying to destroy certain rights, guaranteed us under this Constitution, the right to vote.

"ARTICLE I

"LEGISLATIVE POWERS VESTED IN CONGRESS

"Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

Here is something, a conundrum in which you may be interested, Senator Geltz, paragraph 1—he is asking for it, I will give it to him—in May 1785 a Committee of Congress made a report—I am not selling sausage now, I am giving you some baloney though—there is a lot of commotion here, Mr. President. If they want to joke it is all right with me. You have plenty of time, haven't you? No? Then I will take it. I am not joking, if they want to joke, well, all right. I have the voice and plenty of time and can continue until three or four o'clock tomorrow morning.

"In January, 1786—(I take it that is about one hundred and fifty-seven years ago; I think if my mathematics are correct, and that brings us down to 1943) the Legislature of Virginia passed a resolution providing for the appointment of five commissioners (not Public Utility Commissioners) who, or any three of them, should meet such commissioners as might be appointed in other states of the union, at a time and place to be agreed upon, to take into consideration the trade of the United States; to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony; and to report to the several states such an act, relative to this great object, as when ratified by them, will enable the United States in Congress effectually to provide for the same. The Virginia commissioners, after some correspondence, fixed the first Monday in September as the time, and the city of Annapolis as the place for the meeting, but only four states were represented, viz: Delaware, New York, New Jersey, and Pennsylvania; the commissioners appointed by Massachusetts, New Hampshire, North Carolina and Rhode Island failed to attend. Under the circumstances of so partial a representation, the commissioners present agreed upon a report drawn by Mr. Hamilton, of New York"—

Mr. JONES. Mr. President, we on this side can not hear what the gentleman is saying.

The PRESIDENT. Senator Jaspan, can you read just a little bit louder.

Mr. JASPAN. If there is anybody here that can not hear me there is something wrong with this Senate.

"Congress, on the twenty-second day of February (that is not Thomas Jefferson's birthday, that is George Washington's birthday) adopted a resolution in favor of a convention, and the legislature of those states which had not already done so, with the exception of Rhode Island, promptly appointed delegates."

Mr. PRESIDENT. Which bill is the Senator now speaking on?

Mr. JASPAN. I am talking on the registration bill, which at the present time denies certain people the right to vote in this state under this law, but under the Declaration of Independence that I read, and under the Constitution of the United States, the people are given the right to vote, and taxes are levied.

I think I have the right, Mr. President; this is a serious matter my friends. I am very serious about this matter, because if this bill is passed, there are at least 100,000 citizens of the city of Philadelphia who are today working for Uncle Sam in order to win this great war, and the soldiers who are over on Guadalcanal, the Solomon Islands and England, who will be denied the right to vote.

To my mind, this is purely political expediency—let us not kid ourselves. This is a very serious matter. I do not know of any leader in the city of Philadelphia who has agreed to the introduction of this bill, to say nothing of our Democratic leaders, and they certainly have gone on record as opposed to it, my friends, so I am going to continue this. I may be a bit blustery and loud, in what I am going to say but I am giving you the truth. My friends want to vote, and there are others today, who are working in war plants who are anxious to vote and if we are going to deny them that right, let us destroy the Constitution, let us destroy the Declaration of Independence, let us destroy our Constitution of the State of Pennsylvania. My friends, let us realize we have government today, and if we deny them the right to vote, as I said before and others have said, that is the most precious right that man or woman has today, and it is a very serious matter to trifle with, for the sake of a few votes.

I realize that in Philadelphia only last year, the Republicans won by only 150 votes, but that does not make any difference to me, it could be 1,500 or 150,000 votes, but let us not destroy the right of a citizen to vote; it makes no difference to me whether it affects one party or the other; but I say by all means give the people the right to vote, and let us not pass any bill which in effect would destroy that right given to them in our Constitution—which I am reading now—gives them that right, let us not destroy it. I propose to continue with that.

"COMPOSITION OF THE HOUSE OF REPRESENTATIVES

"Section 2. 1. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the qualifications requisite for Electors of the most numerous Branch of the State Legislature.

"QUALIFICATIONS OF REPRESENTATIVES

"2. No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen."

Now, then, here is a very important problem that we were very much interested in last week. Although it was solved back in 1942, as a result of the call made by Governor James, when he said he would call a special session of the legislature provided the Democrats and Republicans would agree on a reapportionment bill. After much consideration and deliberation it was finally agreed upon, and the Senate and the House were called into session, and it cost approximately $300,000. That bill went through and today is law.

Yet today our friends on the other side want to change that, notwithstanding the fact that over $300,000 was spent to enact that law, and today I hear the cry from the other side, that if you filibuster, if you read bills at length, why that will cost the Commonwealth plenty of money. Did they consider that in 1942? Of course not. But today, for political expediency, they will involve us in the expenditure of large sums of money. Let us have government, but if we are going to have it, let us make it more consistent.

"APPORTIONMENT OF REPRESENTATIVES AND DIRECT TAXES—CENSUS.

"3.[3] [Representatives and direct Taxes shall be apportioned among the several states which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other persons.] The actual Enumeration shall be made within three Years after the first Meeting of Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by law direct."

In 1942, this legislature met and passed a reapportionment law—it is law today, and yet, within that same ten years, a bill was passed by this Senate only last week and sent to the House and as I said before, there is no question in my mind as to its unconstitutionality, yet this Senate saw fit to pass such a bill, and in all likelihood, the House constituted as it is, will pass it. I do not know what the Governor will do, but I say now when it goes to our Federal courts, and if, by chance, to the Supreme Court of the United States, I say that law will be declared unconstitutional. Never, in the history of the United States, has any one state passed a reapportionment bill twice within a period of ten years. This is the exception here today, and for what reason? Political expediency.

"The number of representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative: and until such enumeration shall be made, the State of New Hampshire shall be entitled to choose three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

Mr. President, this next paragraph is very important to this legislature and to the citizens of this state who have the right to vote, yet by tonight's vote they are denied this right to vote at any future date for these representatives. That is where this connection comes in.

"FILLING OF VACANCIES IN REPRESENTATION

"4. When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

"SELECTION OF OFFICERS—POWER OF IMPEACHMENT

"5. The House of Representatives shall choose their Speaker and other officers: and shall have the sole Power of Impeachment.

"OF THE SENATE

"Section 3. 1.[3] [The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six Years; and each Senator shall have one vote.]

"CLASSIFICATION OF SENATORS—FILLING OF VACANCIES

"2. Immediately after they shall be assembled in Consequence of the first Election they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the Second Year, of the second Class at the expiration of the fourth Year, and of the third Class at the Expiration of the Sixth Year, so that one-third may be chosen every second year;[1] [and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.]

"That is classification of Senator filling of vacancies—very important to our group; while it applies to Congress, we have Senators in this body, and it is applicable to the State of Pennsylvania.

"QUALIFICATIONS OF SENATORS

"3. No person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not when elected be an Inhabitant of that State for which he shall be chosen.

"VICE-PRESIDENT TO BE PRESIDENT OF SENATE

"4. The Vice President of the United States shall be President of the Senate (here we have the Lieutenant Governor presiding over the Senate) who shall have no vote, unless they be equally divided."

I have plenty of time my friends, take it easy. Want me to take my coat off?

"SELECTION OF SENATE OFFICERS—PRESIDENT PRO TEMPORE

"5. The Senate shall chuse their other officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the office of President of the United States.

"SENATE TO TRY IMPEACHMENTS

"6. The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.

"JUDGMENT IN CASES OF IMPEACHMENT

"7. Judgment in Cases of Impeachment shall not extend further than to removal from Office, and Disqualification to hold and enjoy any Office of honor, Trust or Profit under the United States! but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

"CONTROL OF CONGRESSIONAL ELECTIONS

"Section 4. 1. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof: but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators."

That is something that very much interested us last week, but now is a matter of history, although I had hoped that the House would not concur with the Senate. The fact of the matter is, as I stated before, a reapportionment bill was passed by both the Senate and the House last year, and now the attempt is made to reapportion congressional districts once more during the period from 1940 to 1950, and I challenge any member of the Senate to show me where another state in the United States, since its incorporation, since its commencement, did the same thing.

"TIME FOR ASSEMBLING OF CONGRESS

"2. The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

"EACH HOUSE TO BE THE JUDGE OF THE ELECTION AND QUALIFICATIONS OF ITS MEMBERS—REGULATIONS AS TO QUORUM

"Section 5. 1. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.

"EACH HOUSE TO DETERMINE ITS OWN RULES

"2. Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behavior, and with the Concurrence of two thirds, expel a Member.

"JOURNALS AND YEAS AND NAYS

"3. Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.

"ADJOURNMENT

"4. Neither House, during the Session of Congress shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

The PRESIDENT. What bill are we now on, Senator Jaspan?

Mr. JASPAN. I am speaking on the same bill, which denies the right to many of our citizens to vote, a right which was guaranteed to them under the so-called Declaration of Independence, our Constitution of the United States of America and likewise the Constitution of the State of Pennsylvania.

"COMPENSATION AND PRIVILEGES OF MEMBERS OF CONGRESS

"Section 6. 1. The Senators and Representatives shall receive a Compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place."

Mr. President, I have no complaint to make; in a drama at times a little comedy is injected and I am willing to tolerate it. Is that fair enough? You have got time, Mr. Majority Floor Leader; I have more time and I have the strength, you take it from me.

POINT OF ORDER

Mr. FARRELL. Mr. President, I rise to a point of order.

The PRESIDENT. The gentleman from Philadelphia will state his point of order.

Mr. FARRELL. Mr. President, the Declaration of Independence, the preamble and the Constitution and so forth have nothing to do with the Philadelphia registration bill to make people honest, and I would like to know what the order of the day is.

The PRESIDENT. The point of order of the gentleman from Philadelphia, Senator Farrell is well taken.

Mr. JASPAN. Mr. President, I have already discussed the Declaration of Independence and I am now proceeding with the Constitution of the United States.

The PRESIDENT. The point of order of the gentleman from Philadelphia, Mr. Farrell, is well taken. The discussion of the gentleman from Philadelphia, Mr. Jaspan, has nothing to do with the bill before us, as the Senator well knows.

Mr. JASPAN. I do not agree with you, Mr. President. This is a very important problem. I am not here trying to filibuster—perhaps we can learn some thing from the Constitution of the United States or the Constitution of Pennsylvania that has been adopted by the citizens of this state, and the citizens of our country, which give the people the right to vote, and when an attempt is made to deny them the right of sovereignty, then it is high time that we learn something about the Declaration of Independence, which is the basis of our law today, our Constitution of the United States of America and the Constitution of the state of Pennsylvania, which makes provision as to the requirements for voting, and that is what I intend to come to, Mr. President. I am not here deliberately delaying the proceedings. I think you know me better than that and I think other Senators do, but this is very very important. I do not want to delay, I do not want to filibuster, but I want to give them the facts as I know and understand them.

There are a hundred thousand people in the city of Philadelphia, if this bill is passed, who are going to be denied the right to vote, and I feel that by pointing out now the provisions of our Declaration of Independence, our Constitution of the United States and the Constitution of the State of Pennsylvania, the author of this bill and the Senators on the other side will gladly send this bill back to committee where it belongs, and let it sweetly lie there to be buried.

"INCOMPATIBLE OFFICES—EXCLUSIONS

"2. No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States; which shall have been created, or the Emolments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

"REVENUE BILLS TO ORIGINATE IN HOUSE

"Section 7. 1. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

"MANNER OF PASSING BILLS—VETO POWER OF PRESIDENT

"2. Every Bill which shall have passed the House of Representatives and the Senate, shall before it becomes a Law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

"CONCURRENT ORDERS OR RESOLUTIONS, TO BE PASSED ON BY PRESIDENT

"3. Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

"1 GENERAL POWERS OF CONGRESS—TAXATION

"Section 8. 1. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

"BORROWING OF MONEY

"2. To borrow Money on the credit of the United States:

"REGULATION OF COMMERCE

"3. To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;"

Mr. President, the next paragraph is very important with respect to this bill that is before us, that is, Senator Farrell's bill, which to my mind deprives many of the right to vote. Yes sir, thank you sir, I will take it with you.

"NATURALIZATION AND BANKRUPTCY

"4. To establish an uniform Rule of Naturalization and uniform Laws on the subject of Bankruptcies throughout the United States;

"MONEY, WEIGHTS AND MEASURES

"5. To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

"COUNTERFEITING

"6. To provide for the Punishment of counterfeiting the securities and current Coin of the United States;

"POST OFFICES

"7. To establish Post Offices and Post Roads;

"PATENTS AND COPYRIGHTS

"8. To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

"INFERIOR COURTS

"9. To constitute Tribunals inferior to the Supreme Court;

"PIRACIES, FELONIES, &c.

"10. To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

"WAR—MARQUE AND REPRISAL

"1. To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

Now, Mr. President, take the section of the Constitution dealing with the power to declare war. The author of this bill has forgotten that Congress has the right to declare war and when we declare war certain citizens of our state, of our city, of our county, and of the several states of the United States are called to bear arms to protect this country against invaders and for the citizens to bear arms to fight to save our democracy, yet this very bill before us denies the right of many of those boys who are being called into the service the right to vote, if they have moved within a few months before they were called into the service.

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

Mr. JASPAN.

"ARMIES

"12. To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

"NAVY

"13. To provide and maintain a Navy;

"LAND AND NAVAL FORCES

"14. To make Rules for the Government and Regulation of the land and naval Forces;

"CALLING OUT MILITIA

"15. To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions."

This bill, Mr. President, if passed and enacted into law, it is very evident, amounts to treason. I say that because it denies the right to vote to many thousands of citizens of our state, and simple wonder it is that my friends on the other side object to my reading this, as it bears very much on the subject, Mr. President. I will accommodate you. I have got the voice and I have got the time too.

"ORGANIZING, ARMING AND DISCIPLINING MILITIA

"16. To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

"EXCLUSIVE LEGISLATION OVER DISTRICT OF COLUMBIA

"17. To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, Dock Yards, and other needful Buildings;—And

"TO ENACT LAWS NECESSARY TO ENFORCE CONSTITUTION

"18. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested by this Constitution in the Government of the United States, or in any Department Officers thereof.

"MIGRATION OR IMPORTATION OF CERTAIN PERSONS NOT TO BE PROHIBITED BEFORE 1808

"Section 9. 1. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

"WRIT OF HABEAS CORPUS NOT TO BE SUSPENDED—EXCEPTION

"2. The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the Public Safety may require it.

"BILLS OF ATTAINDER AND EX POST FACTO LAWS PROHIBITED

"3. No bill of Attainder or ex post facto Law shall be passed.

"CAPITATION AND OTHER DIRECT TAXES

"4. No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration herein before directed to be taken.

"EXPORTS NOT TO BE TAXED

"5. No Tax or Duty shall be laid on Articles exported from any State.

"NO PREFERENCE TO BE GIVEN TO PORTS OF ANY STATE—INTERSTATE SHIPPING

"6. No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

"MONEY, HOW DRAWN FROM TREASURY—FINANCIAL STATEMENTS TO BE PUBLISHED

"7. No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

"TITLES OF NOBILITY NOT TO BE GRANTED—ACCEPTANCE BY GOVERNMENT OFFICERS OF FAVORS FROM FOREIGN POWERS PROHIBITED

"8. No Title of Nobility shall be granted by the United States: And no Person holding any office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

"LIMITATIONS OF THE POWERS OF THE SEVERAL STATES

"Section 10. 1. No State shall enter into any Treaty, Alliance, or Confederation, grant Letters of Marque and Reprisal; coin Money; emit Bills of Credits; make any Thing but gold and silver Coin a Tender in Paymet of Debts; pass any Bill of Attainder, ex post facto law, or Law impairing the Olgibation of Contracts, or grant any Title of Nobility.

"STATE IMPOSTS AND DUTIES

"2. No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be alsolutely necessary for executing its inspection Laws; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the use of the Treasury of the United States; and all such Laws shall be subject to Revision and Control of the Congress.

"FURTHER RESTRICTIONS ON POWERS OF STATES

"3. No State shall, without the Consent of the Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of delay."

ARTICLE II

"OF THE PRESIDENT—THE EXECUTIVE POWER

"Section 1. 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

"APPOINTMENT AND QUALIFICATIONS OF PRESIDENTIAL ELECTORS

"2. Each State shall appoint, in such Manner as the Legislature thereof, may direct, a Number of Electors equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

"ORIGINAL METHOD OF ELECTING THE PRESIDENT AND VICE PRESIDENT

"3. [1][The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; a quorum for this Purpose shall consist of fa Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.]

"CONGRESS MAY DETERMINE TIME OF CHOOSING ELECTORS AND DAY FOR CASTING THEIR VOTES

"4. The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which day shall be the same throughout the United States.

[2]"QUALIFICATIONS FOR THE OFFICE OF PRESIDENT

"5. No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

"FILLING VACANCY IN OFFICE OF PRESIDENT

"6. In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the Same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation, or Inability, both of the President and Vice President, declaring what Officer shall then act as President and such Officer shall act accordingly, until the Disability be removed or a President shall be elected.

"COMPENSATION OF THE PRESIDENT

"7. The President shall, at stated Times receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

"OATH TO BE TAKEN BY THE PRESIDENT

"8. Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation:—'I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will, to the best of my Ability, preserve, protect and defend the Constitution.'

"PRESIDENT MAY, WITH CONCURRENCE OF SENATE, MAKE TREATIES, APPOINT AMBASSADORS—APPOINTMENT OF INFERIOR OFFICERS, AUTHORITY OF CONGRESS OVER

"2. He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the

Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such Inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

“PRESIDENT MAY FILL VACANCIES IN OFFICE DURING RECESS OF SENATE

“3. The President shall have Power to fill up all vacancies that may happen during the Recess of the Senate, by granting Commissions, which shall expire at the End of their next Session.

“PRESIDENT TO GIVE ADVICE TO CONGRESS—MAY CONVENE OR ADJOURN IT ON CERTAIN OCCASIONS—TO RECEIVE AMBASSADORS—HAVE LAWS EXECUTED AND COMMISSION ALL OFFICERS

“Section 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all of the officers of the United States.

“ALL CIVIL OFFICERS REMOVABLE BY IMPEACHMENT

“Section 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III

“JUDICIAL POWER—HOW VESTED—TERM OF OFFICE AND COMPENSATION OF JUDGES

“Section 1. The Judicial Power of the United States, shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the Supreme and inferior Courts, shall hold their offices during good Behavior, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their continuance in Office.

1“JURISDICTION OF FEDERAL COURTS

“Section 2. 1. The Judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made or which shall be made, under their Authority:—to all Cases affecting Ambassadors, other Public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States;—between a State and Citizens of another State;—between Citizens of different States;—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

“ORIGINAL AND APPELLATE JURISDICTION OF SUPREME COURT

“2. In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the Supreme Court shall have original Jurisdiction. In all the other Cases, before mentioned, the Supreme Court shall have appellate-jurisdiction, both as to Law and Fact, with such Exceptions and under such Regulations as the Congress shall make.

“TRIALS OF ALL CRIMES, EXCEPT IMPEACHMENT, TO BE BY JURY

“3. The Trial of all Crimes, except in Cases of Impeachment, shall be by jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

“TREASON DEFINED—CONVICTION OF

“Section 3. 1. Treason against the United States, shall consist only in levying War against them, or in adhering to their enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

“CONGRESS TO DECLARE PUNISHMENT FOR TREASON—PROVISO

“2. The Congress shall have Power to declare the Punishment of Treason, but No Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the person attainted.

ARTICLE IV

“EACH STATE TO GIVE FULL FAITH AND CREDIT TO THE PUBLIC ACTS AND RECORDS OF OTHER STATES

“Section 1. Full Faith and credit shall be given in each State to the public Acts, Records, and Judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

“PRIVILEGES OF CITIZENS

“Section 2. 1. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

“EXTRADITION BETWEEN THE SEVERAL STATES

“2. A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

“1PERSONS HELD TO LABOR OR SERVICE IN ONE STATE, FLEEING TO ANOTHER, TO BE RETURNED

“3. No persons held to Service or Labour in one State, under the Laws thereof, escaping into another, shall in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

"NEW STATES

"Section 3. 1. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

"REGULATIONS CONCERNING TERRITORY

"2. The Congress shall have Power to dispose of and make all needed Rules and Regulations respecting the Territory or other Property belonging to the United States and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

"REPUBLICAN FORM OF GOVERNMENT AND PROTECTION GUARANTEED THE SEVERAL STATES

Section 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V

"WAYS IN WHICH THE CONSTITUTION CAN BE AMENDED

"The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ARTICLE VI

"DEBTS CONTRACTED UNDER THE CONFEDERATION SECURED

"1. All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

"CONSTITUTION, LAWS AND TREATIES OF THE UNITED STATES TO BE SUPREME

"2. This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

"WHO SHALL TAKE CONSTITUTIONAL OATH—NO RELIGIOUS TEST AS TO OFFICIAL QUALIFICATION

"3. The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

ARTICLE VII

"CONSTITUTION TO BE CONSIDERED ADOPTED WHEN RATIFIED BY NINE STATES

"The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifiing the same.

DONE in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty-seven and of the Independence of the United States of America the Twelfth. IN WITNESS whereof We have hereunto subscribed our Names,

Go WASHINGTON,

Presidt. and deputy from Virginia,
Attest:

WILLIAM JACKSON, Secretary.

"Section 2, Article 1. The President to be Commander-in-Chief of Army and Navy—"

Mr. President, this is very important here and bears o nthe subject. As I pointed out in many other sections—I am serious, not joking or kidding about—the President is to be Commander-in-Chief of Army and Navy and Head of Executive Departments—May Grant Repreives and Pardons.

The President shall be Commander-in-Chief of the Army and Navy, and yet under this bill before us today, it is a desperate attempt to deprive them of the right to vote and it is very unfair and dishonest to those men who are ready to give their lives for our benefit, for the benefit of our country.

Gentlemen, let us not be deluded into the belief that this bill before us will help; it is purely a political bill and has for its purpose the disenfranchisement of hundreds of thousands citizens of the state of Pennsylvania, and for that reason, and for that reason alone, I object to it. If you only deprive one man of his right to vote, it is treason in my mind, let alone the thousands and hundreds of thousands.

"NEW HAMPSHIRE

"John Langdon
Nicholas Gilman

"MASSACHUSETTS

"Nathaniel Gorham
Rufus King

"CONNECTICUT

"Wm. Saml. Johnson
Roger Sherman

"NEW YORK

"Alexander Hamilton

"NEW JERSEY

"Wil. Livingston
David Brearley
Wm. Patterson
Jona. Dayton

"PENNSYLVANIA

"B. Franklin
Thomas Mifflin
Robt. Morris
Geo. Clymer
Thos. Fitzsimons
Jared Ingersoll
James Wilson
Gouv. Morris

"DELAWARE

"Geo. Read
Gunning Bedford, Jr.
John Dickinson
Richard Bassett
Jaco. Broom

"MARYLAND

"James McHenry
Dan of St. Thos. Jenifer
Danl. Carroll

"VIRGINIA

"John Blair
James Madison, Jr.

"NORTH CAROLINA

"Wm. Blount
Richard Dobbs Spaight
Hu. Williamson

"SOUTH CAROLINA

"J. Rutledge
Chas. Cotesworth Pinckney
Charles Pinckney
Pierce Butler

"GEORGIA

"William Few
Abr. Baldwin

The PRESIDENT PRO TEMPORE. Has the gentleman concluded.

Mr. JASPAN. No sir. A gentleman here says for me not to hurry. I desire to continue. I am not taking offense at what he says or at what anybody else says; I am taking it in the proper spirit. You do not object, do you? I am not insisting on order; I am perfectly satisfied to let them do as they please, but let me say to you, my friends, that under the Constitution of both this state and the United States every man has the right to vote, and when any attempt is made to deprive that man of his right to vote, then I feel that the author of this bill and the members on the other side are violating the Declaration of Independence, the Constitution of the United States and the Constitution of the state of Pennsylvania.

The PRESIDENT PRO TEMPORE. The Chair insists on order. The gentleman is entitled to be heard.

Mr. JASPAN. Thank you very much, Mr. President.

The PRESIDENT PRO TEMORE. The Chair insists that the Senate be in order. The gentleman is entitled to the courtesy of being heard.

Mr. JASPAN. Should I ask for a roll call, Mr. President? Is there a quorum here?

The PRESIDENT PRO TEMPORE. The Senator will proceed. The Senate will be in order.

Mr. JASPAN. For the edification of the Senators on the other side—for those who are not familiar with it, I think this will help the Senators with respect to this particular bill before this Senate tonight—apparently you are trying to adopt tonight a bill which will interfere with the right of men to vote.

Now, Mr. President, I will proceed, section 1, article 6, page 19, Pennsylvania Manual, 1941, Volume 85, Commonwealth of Pennsylvania—if you ask for it I will give it to you—Arthur James, Sam Lewis—no, he is not here; you know that as well as I do.

We now come to the Declaration of Rights under our Constitution of the United States.

[ARTICLE I]

"FREEDOM OF RELIGION, OF SPEECH, OF THE PRESS, AND RIGHT OF PETITION

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

[ARTICLE II]

"RIGHT OF PEOPLE TO BEAR ARMS NOT TO BE INFRINGED

"A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

[ARTICLE III]

"QUARTERING OF TROOPS

"No soldier, shall in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

[ARTICLE IV]

"PERSONS AND HOUSES TO BE SECURE FROM UNREASONABLE SEARCHES AND SEIZURES

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

[ARTICLE V]

"TRIALS FOR CRIMES—JUST COMPENSATION FOR PRIVATE PROPETY TAKEN FOR PUBLIC USE

"No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment of indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

[ARTICLE VI]

“CIVIL RIGHTS IN TRIALS FOR CRIMES ENUMERATED

“In all criminal prosecutions, the accused shall enjoy the right to a speedy public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process of obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.

[ARTICLE VII]

“CIVIL RIGHTS IN CIVIL SUITS

“In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

[ARTICLE VIII]

“EXCESSIVE BAIL, FINES AND PUNISHMENTS PROHIBITED

“Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

[ARTICLE IX]

“RESERVED RIGHTS OF PEOPLE

“The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

[ARTICLE X]

“POWERS NOT DELEGATED, RESERVED TO STATES AND PEOPLE RESPECTIVELY

“The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

[ARTICLE XI]

“JUDICIAL POWER OF UNITED STATES NOT TO EXTEND TO SUITS AGAINST A STATE

“The Judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.[1] [2]

[ARTICLE XII]

“PRESENT MODE OF ELECTING PRESIDENT AND VICE-PRESIDENT BY ELECTORS

“The Electors shall meet in their respective states,[3] and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each; which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates[4] and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed and if no person have such majority then from the persons having the highest number not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority then from the two highest numbers on the list, the Senate shall choose the Vice-president; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.”[5]

We now come to Article XIII. This is very important, Mr. President, to this bill. This particular section bears very much on the subject, and notwithstanding the noise, bustle, and rush and everything else—

PREVIOUS QUESTION

Mr. HEYBURN. Mr. President, I move the previous question.

Mr. WADE. I second the motion, Mr. President.

Mr. JASPAN. I have the floor, Mr. President.

Mr. LETZLER. I second the motion, Mr. President.

Mr. JAMES. I second the motion, Mr. President.

Mr. WATKINS. I second the motion, Mr. President.

POINT OF ORDER

Mr. JASPAN. I rise to a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Philadelphia will state his point of order.

Mr. JASPAN. It is impossible to move the previous question while somebody is on the floor.

The PRESIDENT PRO TEMPORE. The Chair rules otherwise.

Mr. JASPAN. I desire to discuss this question, which is very important to the citizens. May I say a word or two?

The PRESIDENT PRO TEMPORE. The previous question has been moved by the gentleman from Delaware, Mr. Heyburn, and seconded by the gentleman from Cumberland, Mr. Wade, and other Senators.

Mr. JASPAN. I disagree with you, Mr. President. I realize that if I appeal from the ruling of the Chair I must first put it in writing and have it signed by four Senators.

The PRESIDENT PRO TEMPORE. The Chair has ruled on the motion of the gentleman from Delaware, Senator Heyburn, seconded by at least four other members.

Mr. JASPAN. Mr. President, may I ask the Chair to permit the Senate to be at ease for a few moments so that I can make a proper appeal from the decision of the Chair? I realize that under our rules, in order to appeal from a decision of the Chair, it is necessary to put it in writing. I have had no time to put it in writing and have it signed by four members of the Senate. I have not had time. I ask for that decency, for that courtesy.

Mr. GELTZ. Mr. President, the previous question has been called.

The PRESIDENT PRO TEMPORE. The previous question having been moved, that cuts off debate, and the only thing then, in the opinion of the Chair, is to proceed with consideration of the bill.

Mr. JASPAN. I am discussing this bill, Mr. President. Am I to take it that I am denied the right to discuss a matter affecting thousands of citizens of this state, who under this bill are going to be deprived of the right of sovereignty? Is that what you intend to do here? I would like a ruling.

The PRESIDENT PRO TEMPORE. A call for the previous question cuts off debate. We are now on the matter of voting on the call of the previous question.

Mr. WATKINS. Roll call, Mr. President.

The PRESIDENT PRO TEMPORE. The Clerk will call the roll.

Mr. JASPAN. May I have a word, Mr. President.

The PRESIDENT PRO TEMPORE. The Clerk will call the roll.

POINT OF ORDER

Mr. JASPAN. I rise on a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Philadelphia will proceed.

Mr. JASPAN. Mr. President, am I to be denied the right of the floor?

The PRESIDENT. The roll will be called.

Mr. JASPAN. I realize that, but I certainly have some say in this body. I represent a district.

The PRESIDENT PRO TEMPORE. The previous question having been called, properly seconded by at least four Senators, the Clerk will call the roll.

(During the calling of the roll the following occurred.)

Mr. DENT. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT PRO TEMPORE. The gentleman from Westmoreland will be so recorded.

Mr. BARR. I desire to be recorded as voting "no".

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny will be so recorded.

MOTION TO HAVE SPECTATOR REMOVED

Mr. CARR. Mr. President, there is a gentleman in the gallery, outside the rail, who is insulting Senators. I ask that the Sergeant-at-Arms remove him.

Mr. JONES. Mr. President, I second the motion.

The PRESIDENT PRO TEMPORE. The gentleman will please retire.

Mr. JASPAN. Mr. President, has the result of the roll call been announced.

The PRESIDENT PRO TEMPORE. The vote on the previous question is 27 in favor; 12 opposed. The motion is carried.

The yeas and nays were required by Mr. JASPAN and were as follows, viz:

YEAS—27

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—12

Barr,
Coleman,
Cox,
Dent,
Holland,
Jaspan,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Stiefel,
Woodring,

So the question was determined in the affirmative.

The PRESIDENT PRO TEMPORE. The motion having been carried, the bill previously having been read at length the third time and agreed to, the question now before the Senate is shall the bill pass finally.

And the question recurring.

Will the Senate agree to the bill?

Mr. JASPAN. Mr. President, may I say for the sake of the record, with respect to this bill, that I arose to my feet tonight intending to discuss this bill at length, as very important factors enter into this bill, which as yet have not even been touched upon. However, I take it that right is being denied me as the representative of a very important district in the state of Pennsylvania. Mr. President, I have certain rights here.

POINT OF ORDER

Mr. HEYBURN. Mr. President, I rise to a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Delaware will proceed.

Mr. HEYBURN. Mr. President, the gentleman from Philadelphia is out of order, the previous question having been carried.

The PRESIDENT PRO TEMPORE. The point of order of the gentleman from Delaware is well taken.

Mr. McCREESH. Mr. President, I desire to interrogate the gentleman from Philadelphia, Mr. Farrell. Did I understand you, Senator Farrell, to say that the registration commissioners in Philadelphia were in favor of this bill?

POINT OF ORDER

Mr. HEYBURN. Mr. President, I rise on a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Delaware will state his point of order.

Mr. HEYBURN. The gentleman from Philadelphia, Senator McCreesh, is out of order. The previous question has been moved and carried.

Mr. McCREESH. Mr. President, I would like to talk on the bill before a vote is taken. It is seldom that I take the floor to speak on a bill. I do not think you have a right to stop that before a vote is taken.

The PRESIDENT PRO TEMPORE. Unfortunately, Senator McCreesh, the previous question has been called and carried, for the purpose of voting on the bill.

Mr. McCREESH. Mr. President, you are not going to allow us to say a few words on the bill? Yes or no?

The PRESIDENT PRO TEMPORE. Unanimous consent of the Senate would be required. Is there objection?

Mr. THOMAS B. WILSON. I object, Mr. President.

The PRESIDENT PRO TEMPORE. There is objection and the Chair must sustain the objection. I am sorry.

This bill has been read at length on three separate days, considered and agreed to, and is now on final passage.

On the question the Clerk will call the roll.

(The Clerk started to call the roll.)

(During the calling of the roll the following occurred:)

Mr. McCREESH. Mr. President, we have a right to talk on the bill.

PARLIAMENTARY INQUIRY

Mr. BARR. Mr. President, I rise on a point of parliamentary inquiry.

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny will proceed.

Mr. BARR. Mr. President, this gentleman is privileged to talk on the bill on final passage. I think the Chair is out of order.

POINT OF ORDER

Mr. WATKINS. Mr. President, I rise on a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Schuylkill will proceed.

Mr. WATKINS. Mr. President, the Clerk having started the calling of the roll, the only thing in order is the roll call.

Mr. DENT. That is right, the roll call is the only thing in order.

(The Clerk again proceeded with the calling of the roll)

Mr. McCREESH. Mr. President, is this roll being taken on final passage?

The PRESIDENT PRO TEMPORE. There is nothing in order excepting the calling of the roll.

(The Clerk again proceeded to call the roll)

Mr. DENT. Mr. President, I desire to be recorded as voting "no".

The PRESIDENT PRO TEMPORE. The gentleman from Westmoreland will be so recorded.

Mr. DENT. And now, Mr. President, before the result is announced, as I understand it, I started to debate on this bill purposely after third reading, without a vote being taken on third reading.

PARLIAMENTARY INQUIRY

Mr. DENT. Mr. President, I rise on a parliamentary inquiry.

The PRESIDENT PRO TEMPORE. The gentleman from Westmoreland will proceed.

Mr. DENT. Mr. President, I want to know from the Chair whether this vote was on the third reading or whether it was on final passage?

The PRESIDENT PRO TEMPORE. As the Chair understands it, the bill was read three times, previously.

Mr. DENT. That is right, Mr. President.

The PRESIDENT PRO TEMPORE. If the Senator from Westmoreland started to debate before third reading of the bill, in the opinion of the Chair the gentleman from Westmoreland was out of order.

Mr. DENT. Mr. President, I started to debate this bill immediately following third reading—if you will have the minutes read back, I believe I will be upheld in my contention—after the Chair said "This bill having been read the third time," then I got upon the floor right at that point. If it is on final passage I only want that information.

The PRESIDENT PRO TEMPORE. The bill is now on final passage.

(The Clerk concluded calling the roll.)

VERIFICATION OF THE ROLL

Mr. JASPAN. Mr. President, I ask that the roll be verified.

The PRESIDENT PRO TEMPORE. Request has been made to have the roll verified.

The Clerk will call the names of those recorded as having voted "aye."

The Clerk read the names of those recorded as having voted "aye" as follows:

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deltrick,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,
Ealy,
Pres. Pro. Tem.

The PRESIDENT PRO TEMPORE. Are there any corrections? The Chair hears none. The affirmative roll will stand as verified. The Clerk will now verify the negative roll.

The Clerk read the names of those recorded as voting in the negative as follows:

Coleman,
Dent,
Gourley.
Haluska,
Holland,
Jaspan.
McCreesh.
McQuiddy,
Ruth.
Stiefel,
Woodring

The PRESIDENT PRO TEMPORE. Are there any corrections?

Mr. BARR. Mr. President, I voted "no." I did not hear my name called.

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny will be so recorded. The attention of the Chair was temporarily distracted. The negative roll will again be verified.

The Clerk again read the names of those recorded as voting in the negative as follows:

Barr,
Coleman,
Dent,
Gourley,
Haluska,
Holland,
Jaspan,
McCreesh,
McQuiddy,
Ruth,
Stiefel,
Woodring,

The PRESIDENT PRO TEMPORE. Are there any corrections?

Mr. McGINNIS. Mr. President, I did not hear my name called. I desire to be recorded as voting "no."

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny will be so recorded. Are there any further corrections?

Mr. COX. Mr. President, not having heard my name called, I wish to be recorded as voting "no."

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny will be so recorded.

Are there any further corrections? The Chair hears none. The negative roll stand as verified.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,
Bowers,
Carr,
Chapman.
Crider,
Crowe,
Deitrick,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—14

Barr,
Coleman,
Cox,
Dent,
Gourley,
Haluska,
Holland,
Jaspan,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

PERMISSION TO ADDRESS SENATE

Mr. DiSILVESTRO asked and obtained unanimous consent to address the Senate.

Mr. DiSILVESTRO. I wish to speak, Mr. President, in explanation of my negative vote. Mr. President, on account of the debate being shut off, I am not in a position to interrogate the Senator from Philadelphia, Mr. Farrell, any further. However, I voted "no" because the Registration Commission in its 1942 report, just issued, on page 12, recites that 96,784 removal cards were filed in advance of last year's primary and general elections and that all were handled so promptly and so efficiently that not one person lost his right to vote, not one person.

PERMISSION TO ADDRESS SENATE

Mr. BARR. Mr. President, I desire to make a brief statement with regard to the bill which just passed.

The PRESIDENT. Is there objection? The Chair hears none. The gentleman from Allegheny may proceed.

Mr. BARR. Mr. President, following the reading of Senate Bill No. 305, Printer's No. 171, I told the members of the Senate that the bill on third reading was not read at length, and the Chair did not have the bill before him, but the Chair ruled that the bill had been read at length. That was not so, as I followed the bill, and, therefore, I tell the President and members of the Senate that this bill has not been passed according to the Constitution of the Senate of Pennsylvania, and if ever this bill should come up for Court action I intend to be there at that time.

The PRESIDENT PRO TEMPORE. The Chair understands that the Lieutenant-Governor, who was presiding at that time, ruled that the bill had been read at length.

PERMISSION TO ADDRESS SENATE

Mr. JASPAN. Mr. President, I desire to give my reasons for voting "no" on this bill, so that it may be made a matter of record.

The PRESIDENT PRO TEMPORE. Is there objection?

Mr. WATKINS. I object, Mr. President.

Mr. JASPAN. Mr. President, I desire to give my reasons for voting against this bill.

The PRESIDENT PRO TEMPORE. There has been objection to the request of the gentleman from Philadelphia, and therefore the Chair will have to rule against the request.

PARLIAMENTARY INQUIRY

Mr. JASPAN. Mr. President, I rise on a parliamentary inquiry.

The PRESIDENT PRO TEMPORE. The gentleman from Philadelphia will proceed.

Mr. JASPAN. Am I to understand that I am denied the right to express to this body my reasons for voting against this bill.

The PRESIDENT PRO TEMPORE. Permit the Chair to answer your inquiry. The gentleman from Philadelphia, Senator Jaspan, was given two hours or so to speak on this bill and then further debate was cut off by the previous question being moved and carried. The Chair therefore ruled against the Senator from Philadelphia.

Mr. JASPAN. I say in answer, Mr. President, that through a technicality, debate in this body for the first time within my memory has been suppressed. There are many other things I could have brought out very clearly.

The PRESIDENT PRO TEMPORE. The Chair has ruled, Senator.

SENATE TO PROCEED WITH CONSIDERATION OF CALENDAR TO EXCLUSION OF ALL OTHER MATTERS

Mr. THOMAS B. WILSON. Mr. President, I move that the Senate proceed to consideration of the Calendar, to the exclusion of all other matters, until adjournment.

Mr. TALLMAN. I second the motion, Mr. President.

It was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 363, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor and the Attorney General is hereby authorized to grant and convey to the Borough of Norristown to be used exclusively for public park purposes the title of the Commonwealth to all that certain lot or tract of land situate lying and being in the Borough of Norristown in the County of Montgomery and the Commonwealth of Pennsylvania bounded and described as follows

All That Certain land described according to a survey made thereof May 18 1942 by the Engineering Department of The Borough of Norristown as follows

Beginning at a point in the center line of Johnson

Highway (said center line of Johnson Highway being also the division line between the Borough of Norristown and the Township of East Norristown) said point being three hundred sixty-six and seventy-four one-hundredths feet North forty-two degrees sixteen minutes West measured along said center line of Johnson Highway from a monument marking the point of intersection of said center line of Johnson Highway with the Northwesterly side of Harding Boulevard thence from said point of beginning South forty-five degrees one minute West four hundred thirty-four feet to a point thence South four degrees thirty-eight minutes West five hundred sixty-three and twelve one-hundredths feet to a point on the Northwesterly side of Harding Boulevard and along said side of Harding Boulevard South forty-five degrees six minutes West three hundred eighty-five and sixty-four one-hundredths feet to a point in line of land formerly of the Aged Women's Home now of The Borough of Norristown thence along said land of The Borough of Norristown North forty-five degrees twelve minutes West four hundred twenty-four feet to a point in or near the middle of Stony Creek and thence along or near the middle of Stony Creek the following several courses and distances North thirty degrees twenty-six minutes East ten feet North twenty degrees twenty-three minutes East one hundred seventy-six and fifty-six one-hundredths feet North sixteen degrees forty-one minutes East one hundred seventy-five and ninety one-hundredths feet North eight degrees fifty-eight minutes East one hundred eighty-nine and thirty-one one-hundredths feet North seven degrees thirty-four minutes East one hundred eighty-nine and sixty-five one-hundredths feet thence along and into and thru the East branch of Stony Creek the following several courses and distances North sixteen degrees sixteen minutes East seventy-five feet North twenty-seven degrees twenty-five minutes East seventy-four and ninety-two one-hundredths feet North fifty-one degrees twenty-eight minutes East seventy-five and forty-three one-hundredths feet North fifty-eight degrees nineteen minutes East seventy-five and twenty-one one-hundredths feet North seventy-five degrees thirty-two minutes East ninety-eight and eleven one-hundredths feet thence north sixty-nine degrees twenty-seven minutes East thirty-four and eighteen one-hundredths feet thence North forty-five degrees thirty-six minutes East thirty-three and fifty-nine one-hundredths feet North ten degrees fifty-nine minutes East thirty-four and twelve one-hundredths feet thence North twenty-three degrees twelve minutes East twenty-six and sixty-six one-hundredths feet thence North seventy-seven degrees East twenty-six and sixty-eight one-hundredths feet thence South eighty-three degrees fifty-six minutes East eighty and forty-five one-hundredths feet thence North seventy-eight degrees fifty-six minutes East seventy and thirty-one one-hundredths feet and North eighty-six degrees eleven minutes East thirty and seven one-hundredths feet to a point of intersection of the center line of said Stony Creek and the center line of Johnson Highway thence along the center line of Johnson Highway South forty-two degrees sixteen minutes East three hundred three and seven-tenths feet to the first mentioned point and place of beginning containing 14.9251 acres of land be the same more or less

Section 2 The said grant to be made upon the condition that if said land should ever be abandoned by the Borough of Norristown for park purposes and should become devoted to any private or commercial use as distinguished from a public use it should revert to the Commonwealth of Pennsylvania

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Farrell,
Geitz,
Gourley,
Heyburn,
James,
Jones,
Kephart,
Letzler,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy
Pres. Pro. Tem.

NAYS—7

Barr,
Dent,
DiSilvestro,
Haluska,
Holland,
Jaspan,
McCreesh,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 365, on third reading, entitled:

An Act to further amend clauses (d) and (e) of section four hundred four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further changing provisions relating to the investment of the capital and reserve of mutual and stock life insurance companies organized under the laws of this Commonwealth

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 390, entitled:

An Act to further amend section three and section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by providing for the issuing of free licenses for seeing-eye dogs and by increasing the amount of certain payments to be made to the Commonwealth for damage caused by dogs or rabies

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" as last amended by the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 456) is hereby further amended to read as follows

Section 3 On or before the fifteenth day of January one thousand nine hundred and twenty-two and on or before the fifteenth day of January of each year thereafter the owner of any dog six months old or over shall apply to the county treasurer of his respective county or to a qualified justice of the peace alderman magistrate or notary public of his respective district either orally or in writing or to the Department of Revenue on a form prescribed by it for a license for such dog owned or kept by him Such application shall state the breed sex age color and marking of such dog and the name and address of the last previous owner and shall be accompanied by a license fee of one dollar for each male dog and for each spayed female dog for which the certificate of a veterinarian or the affidavit of the owner is produced and by a license fee of two dollars each for all other female dogs except when the license is issued by the Department of Revenue the applicant shall also pay an additional fee of ten cents for the issuing recording and reporting said license to the Department of Revenue and remitting fees and fines to the State Treasurer through the Department of Revenue The county treasurers of the several counties of this Commonwealth shall be agents of the Commonwealth for the collection of said license fees unless and until the Department of Revenue shall determine with the approval of the Governor to issue all of said licenses directly and for services rendered in collecting and paying over the same the said agents shall be allowed to retain the sum of ten cents from the amount paid by each licensee which amount shall be paid into the county treasury except that said county treasurers may retain out of said fees amounts necessary to reimburse them for any expenses including the compensation of necessary employes incurred in the collection and transmission of money for the Commonwealth under the provisions of this act Provided however That the number and compensation of such employes shall have been approved by the Department of Revenue County Treasurers shall also be entitled to retain out of fees heretofore received hereunder amounts heretofore actually expended for the payment of expenses including the compensation of employes actually incurred in the collection and transmission of money under the provisions of this act Except as hereinbefore provided all fees heretofore retained under the provisions of this act shall be paid into the respective county treasuries

Except also that blind persons owning seeing-eye dogs which are used for the purposes of leading and directing blind persons upon furnishing a statement showing the need for the use of such dog shall not be required to pay the license fee herein required and licenses shall be issud to such blind persons for seeing-eye dogs free of all charges

It shall be unlawful for any person to make any false statements or misrepresentations in procuring any such free license and upon summary conviction before any alderman justice of the peace or magistrate for a violation of this provision shall be sentenced to pay a fine of ten dollars and costs of prosecution or undergo imprisonment for not more than thirty days

Section 2 Section thirty of the said act as last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-five (P. L. 219) is hereby further amended to read as follows

Section 30 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the appraiser

When any payment is made by the State for any live stock including poultry or domestic game birds injured by a dog and live stock dying from or killed because of rabies such payment shall not exceed one hundred dollars for each horse or mule sixty dollars for each head of unregistered cattle one hundred dollars for each head of registered cattle ten dollars for each head of unregistered swine sheep or goats twenty dollars for each head of registered swine sheep or goats [three] four dollars for each full-grown goose [three] four dollars for each full-grown turkey or wild turkey and one dollar and fifty cents for each head of other poultry domestic game birds or domesticated hare or rabbit and four dollars for each head of pedigreed-wingbanded or Record of Performance wingbanded poultry All appraisals under this act shall be at the actual value of the live stock including poultry or domestic game birds killed or injured

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 421, entitled:

An Act to add section ten to the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" authorizing townships to make appropriations for said purposes

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" is hereby amended by adding at the end thereof a new section to read as follows

Section 10 Finances The board of township supervisors is empowered to appropriate out of the general township fund such moneys otherwise unappropriated as it may deem fit to finance the work of the township zoning commission and the board of adjustment and to enforce the zoning regulations and restrictions which are adopted and to accept grants of money and service for these purposes and other purposes in accordance with this act from either private or public sources State or Federal

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

SENATE BILL No. 425, PRINTER'S No. 204, PLACED ON POSTPONED CALENDAR

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 425, Printer's No. 204, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Crawford County, Pennsylvania, known as the Keystone Ordnance Plant, and ceding jurisdiction to the United States

be placed on the Postponed Calendar.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 430, PRINTER'S No. 205, PLACED ON POSTPONED CALENDAR

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 430, Printer's No. 205, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the Thirty-eighth Ward, of the City of Philadelphia, Pennsylvania, known as the Philadelphia Signal Depot, and ceding jurisdiction to the United States

be placed on the Postponed Calendar.

Mr. JAMES. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 443, entitled:

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" by reducing the amount of the minimum fine which may be imposed for certain violations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section six hundred one of the act approved the twenty-fifth day of May one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth conferring powers and imposing duties upon the Department of Revenue in respect thereto providing for the licensing and registration of airman and aircraft establishing the legal status of air navigation providing for sovereignty in and ownership of space providing for lawfulness of flights regulating civil causes of action arising out of operation of aircraft fixing the status of contracts crimes and torts in by or by means of operation of aircraft imposing duties upon officers burgesses magistrates aldermen justices of the peace the courts and clerks thereof providing for denial or revocation of licenses providing for certain penalties and their disposition and repealing certain existing laws" is hereby amended to read as follows

Section 601 Violation Provisions It shall be unlawful for any person to commit any of the following acts

(a) To operate or navigate aircraft while under the influence of intoxicating liquor or narcotic drug or habit producing drug or permit any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate or navigate any aircraft owned by him or in his custody or control or to carry in any aircraft any passenger who is visibly under the influence of intoxicating liquor narcotic drug or other habit producing drug

(b) To operate or navigate aircraft while in possession of any Federal license or to display or cause or permit to be displaced such license knowing the same to have been cancelled revoked suspended or altered

(c) To lend to or knowingly to permit the use of by one not entitled thereto any Federal airman's and aircraft license issued to the person so lending or permitting the use thereof

(d) To display or to represent as one's own any Federal airman's or aircraft license not issued to the person so displaying the same

(e) Tampering with or making use of or navigating any aircraft without the knowledge or consent of the owner or custodian thereof

(f) To use a false or fictitious name or to give a false or fictitious address in any application or form required under the provisions of this act or the rules and regulations of the department adopted pursuant to this act or knowingly make any false statement or report or knowingly conceal a material fact or otherwise commit a fraud in any application

(g) To operate or navigate any aircraft within this Commonwealth unless such aircraft has been licensed and registered in accordance with the provisions of this act and unless the operator thereof has been licensed in accordance with the provisions of this act Provided further That the owner of aircraft operated in violation of any of the provisions of this act shall also be subject to the penalties provided in this section

Penalty Any person violating any of the provisions of subsections (b) (c) (d) (f) or (g) of this section shall upon summary conviction before a burgess alderman magistrate or justice of the peace be sentenced to pay a fine of not less than [fifty ($50.00) dollars] twelve dollars and fifty cents ($12.50) nor more than two hundred ($200.00) dollars and the cost of prosecution or undergo imprisonment for not more than thirty (30) days or suffer both such fine and imprisonment

Any person violating any of the provisions of subsections (a) or (e) of this section shall be guilty of a misdemeanor and shall upon conviction thereof in a court of quarter sessions be sentenced to pay a fine of not less than one hundred ($100.00) dollars nor more than five hundred ($500.00) dollars and the costs of prosecution or undergo imprisonment for not more than one (1) year or suffer both such fine and imprisonment

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. DENT. Mr. President, I do not desire to delay the business of the Senate but I wonder whether the members of the Senate realize that this bill reduces the minimum fine from $50 to $12.50 on a series of offenses under the law that governs the operation of aircraft in the state of Pennsylvania.

As I read the act, under the present law if a person is flying a plane whose license has been revoked and the reason for revoking the license to fly the aircraft is because it is determined that that aircraft is unsafe for flying purposes, you reduce the minimum fine from $50 to $12.50.

Why even today in the Motor Code as I understand it, if you are driving without a license the fine is $50, and you can not even drive a car, as I know it, without some strict regulation.

Another one of the features of this bill, Mr. President, is that it reduces the minimum fine from $50 to $12.50, if you display or try to represent as one's own any federal airman's or aircraft license. Those of you who never have been in an aircraft must realize that any novice that knows just a little about an airplane can take one off the ground and endanger the lives and property of innocent by-standers and everything else when he flies a plane without a license.

I do not think $50 is a too great a minimum fine anyway, for persons who would take the lives of others in their own hands or jeopardize lives and property by flying planes around when they are not licensed pilots.

Remember that after this war is over we are going to have the greatest boom in flying that the world has ever seen, and I think this Act ought to remain at least as it is on the books. However, as one man says, you have the votes, but I do not think you ought to use them to pass legislation which is not sound.

For instance, in Section (e) of the Act it says "tampering with or making use of or navigating any aircraft without the knowledge or consent of the owner or custodian thereof," and that means—maybe I am wrong in what I am reading, perhaps I do not follow it—but as I understand it any person violating these rules, under Section (e) page 4, second paragraph, line 9, where it says "Penalty. Any person violating any of the provisions of sub-sections (b), (c), (d), (f) or (g) of this section shall upon summary conviction before a burgess, alderman, magistrate or justice of the peace be sentenced to pay a fine of not less than—" and then fifty dollars is stricken out and in place thereof $12.50 is substituted—if I am wrong I wish someone would tell me so that I can understand what this is about.

Mr. GELTZ. Mr. President, Section (e) about which the gentleman from Westmoreland is complaining, is not changed in the clause to which he objects. Clauses (a) and (e) are taken care of in the next to the last paragraph on page 4, in which it states that the fine shall not be less than $100 nor more than $500 and imprisonment for not more than one year. The reductions in fines in the section to which the gentleman from Westmoreland object are for the lesser offenses under the act, and the reduction is not in the maximum but only in the minimum, and it still provides for imprisonment of thirty days, if the magistrate is so inclined, so I do not think there is any danger in the reduction of the minimum in this bill, as complained of by the gentleman from Westmoreland.

Mr. DENT. That may be a valid argument for passage of the bill, Mr. President, I do not pride myself but I did have eight hundred some hours in the air and I spent four years in the Marine Air Corps and I learned something about planes, and if you do not believe section (c) to be a serious section in this Bill, for instance—I will read it to you: "(c) To lend to or knowingly to permit the use of by one not entitled thereto any federal airman's and aircraft license issued to the person so lending or permitting the use thereof."

I think that is a very serious section of the act, because if you lend your license to someone you are only subject to a $12.50 fine, but the thing I can not get through my head is this, what is the cause for the passage of this act? Where is the demand for this kind of legislation? If you can demonstrate to me that there is a hue and cry for the passage of this kind of legislation, all right, I am willing to go along, if there are some necessary moves that have to be made in order to make our air flying safer when the war is over, because it is going to be a very serious problem in navigation in the next few years but I do not think we ought to fool around with this type of legislation at this time.

On the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Becker,
Bowers,
Carr,
Chapman,
Farrell,
Geltz,
Heyburn,
James,
McGinnis,
Scarlett,
Snowden,
Stevenson,
Wade,
Walker,
Wilson, H. I.,
Wilson, T. B.,

Crider,
Crowe,
Deitrick,
Jones,
Kephart,
Letzler,
Tallman,
Thomas,
Tyler,
Ealy,
Pres. Pro. Tem.

NAYS—15

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McCreesh,
McQuiddy,
Ruth,
Stiefel,
Woodring,
Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

SENATE BILL No. 445, PRINTER'S No. 208 PLACED ON POSTPONED CALENDAR

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 445, Printer's No. 208, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in the City and County of Philadelphia, Pennsylvania, known as the Philadelphia Armor Plate Plant, and ceding jurisdiction to the United States

be placed on the Postponed Calendar.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 452, PRINTER'S No. 210 PLACED ON POSTPONED CALENDAR

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 452, Printer's No. 210, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in Lycoming and Union Counties, Pennsylvania, known as Pennsylvania Ordnance Works, and ceding jurisdiction to the United States

be placed on the Postponed Calendar.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

SENATE BILL No. 457, PRINTER'S No. 212 PLACED ON POSTPONED CALENDAR

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 457, Printer's No. 212, on third reading entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the Forty-eighth Ward of the City of Philadelphia, Pennsylvania, known as the Philadelphia Quartermaster Depot, and ceding jurisdiction to the United States

be placed on the Postponed Calendar.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 535, entitled:

An Act to further amend section one, article eight, of the act approved the second day of June, one thousand eight hundred and ninety-one (P. L. 176), entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal-mines of Pennsylvania, and for the protection and preservation of property connected therewith," providing that only persons who are registered holders of certificates of qualification or service shall be employed as mine foremen and assistant mine foremen.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 535, on final passage go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 539, entitled:

An Act to further amend section eight hundred one of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" by requiring further hearings on proposed orders and eliminating the requirement of the Governor's approval for certain orders of the commission and any amendments or revisions thereof fixing or changing the price of milk

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred one of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof creating a Milk Control Commission establishing its jurisdiction powers and duties regulating the production transportation manufacturing processing storage distribution delivery and sale of milk and certain products thereof providing for the licensing of milk dealers and the payment of fees therefor requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers authorizing the holding of hearings and the issuance of subpoenas by the commission conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules regulations and orders of the commission authorizing the commission to adopt rules regulations and orders and to enter into interstate and Federal compacts requiring persons who weigh measure sample or test milk to procure permits or certificates to take examinations to pay fees therefor to furnish certain notices records and statements and to use certain methods of weighing measuring sampling and testing authorizing the commission to examine the business papers and premises of milk dealers and producers requiring the keeping of records and the filing of reports by milk dealers and permitting with limitations the use of information obtained thereby authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor and conferring certain powers upon the Governor with respect thereto providing for appeals to the courts from decisions of the commission and for the burden of proof upon such appeals prescribing penalties fines and imprisonment for violations of this act and rules regulations and orders of the commission defining perjury defining remedies repealing legislation supplied and superseded by this act and saving rights duties and proceedings thereunder and making appropriations" as amended by the act approved the twenty-fourth day of July one thousand nine hundred forty-two (P. L. 443) is hereby further amended to read as follows

Section 801 Requisites of Orders Fixing Price of Milk The commission shall ascertain after a hearing in which all interested persons shall be given reasonable opportunity to be heard the logical and reasonable milk marketing areas within the Commonwealth shall describe the territorial extent thereof shall designate such areas by name or number and shall ascertain and maintain such prices for milk in the respective milk marketing areas as will be most beneficial to the public interest best protect the milk industry of the Commonwealth and insure a sufficient quantity of pure and wholesome milk to inhabitants of the Commonwealth having special regard to the health and welfare of children residing therein

The commission shall base all prices upon all conditions affecting the milk industry in each milk marketing area including the amount necessary to yield a reasonable return to the producer which return shall not be less than the cost of production and a reasonable profit to the producer and a reasonable return to the milk dealer or handler In ascertaining such returns the commission shall utilize a cross-section representative of the average or normally efficient producers and dealers or handlers in the area

The commission shall file at its office with each order issued a general statement in writing of the findings of fact in support of and the reasons for such order

The commission may upon its own motion or upon application in writing from time to time alter revise or amend an official order defining milk marketing areas or fixing prices to be charged or paid for milk Before making revising or amending any order defining milk marketing areas or fixing prices to be charged or paid for milk the commission shall hold a hearing after giving reasonable opportunity to be heard to interested persons of whom the commission has notice and in the case of any order affecting the public after giving reasonable notice thereof to the public in such newspaper or newspapers as in the judgment of the commission shall afford sufficient notice and publicity Provided however That [upon] after such hearing there shall be a further hearing or conference before the commission on any proposed order and notice of such further hearing or conference shall be given to the parties represented and heard at the previous hearing Upon application in writing from a person aggrieved by an order of the commission hereunder filed within fifteen (15) days after the issuance of the order complained of or upon its own motion the commission may within twenty (20) days after the effective date of such order issue an order revising or amending such order without a further hearing if such revision or amendment is based on the record of the hearing held prior to the issuance of such order.

"Interested persons" as used in this section means all persons who may be affected by an order of the commission fixing prices and who have signified to the commission in writing their desire to be notified of such hearings concerning a particular milk market area or areas within the Commonwealth "Reasonable opportunity to be heard" may be afforded by written notice addressed to the last known address of an interested party by mail postage prepaid by deposit in a United States post office or any receptacle thereof Nothing contained in this section shall be construed to limit or modify the provisions of section three hundred eight of this act relating to the posting and publicizing of orders of the commission including orders made under this article and the force and effect thereof

At any hearing provided for herein the testimony of an expert statistician present at the hearing and any printed typewritten duplicated mimeographed or other written treatise report or statistical data by an expert not present as a witness if and to the extent it is endorsed as reliable by an expert witness present at the hearing shall be competent evidence on any subject material to fixing any price under this article

All provisions of all price-fixing orders of the commission shall be presumed to be valid and the burden of proving any invalidity of any provisions thereof shall be upon the person asserting the same Any determination by the commission or a court to which an appeal has been taken that the wholesale or retail prices provided are invalid shall not prevent the enforcement of prices to producers but any determination that prices to producers are unreasonable shall require the redetermination by the commission of wholesale and retail prices as well as prices to producers

Whenever an order of the commission fixing prices is remitted to the commission with directions to reform the findings or order in accordance with the opinion of the court and no further appeal is taken by the commission the commission shall make such reformation within thirty days from the entry of the order of the court remitting the price fixing order to the commission

[Every order made pursuant to this article and any revision or amendment thereof in which the commission fixes or changes the price of milk to producers or to consumers or both shall be subject to the approval of the Governor]

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 588, on third reading, entitled:

An Act to amend paragraph four of subsection (c) of section two hundred two and to further amend section six hundred twenty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-surance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the purposes for which certain companies may be incorporated to include insuring medical hospital surgical and funeral expenses in connection with certain kinds of liability insurance and insuring against loss or damage to property from certain causes for which the person insured is liable

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 649, on third reading, entitled:

An Act to amend section one thousand five hundred seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing a method for financing the cost of constructing sewers or drains

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 817, entitled:

An Act to amend the title and the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2420) entitled "An act fixing the hours of rest each calendar week and the vacation period of members of the Pennsylvania Motor Police Motor Police and Patrolmen and Guards in State Parks" by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2420) entitled "An act fixing the hours of rest each calendar week and the vacation period of members of the Pennsylvania Motor Police Motor Police and Patrolmen and Guards in State Parks" are hereby amended to read as follows

An Act fixing the hours of rest each calendar week and the vacation period of members of the Pennsylvania [Motor] State Police [Motor Police and Patrolmen] and Guards in State Parks

Section 1 Be it enacted &c That each member of the Pennsylvania [Motor] State Police [Motor Police] and each person employed as a [Highway Patrolman or] Park Guard in policing the State Park areas and the highways therein shall be permitted to have at least twenty-four consecutive hours of rest in every calendar week except in emergency cases for the suppression of riots or tumults or the preservation of the public peace in times of war riot conflagration or public celebration and to have an annual vacation of not less than fourteen days without diminution of his salary or compensation as provided according to law

Section 2 This act shall become effective on the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 818, entitled:

An Act to amend sections one two and four of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 494) entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescribing the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies" by changing the name Pennsylvania Motor Police to Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections one two and four of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 494) entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescribing the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies" are hereby amended to read as follows

Section 1 There is hereby created the Pennsylvania Highway Traffic Advisory Committee hereinafter referred to as the "committee" which shall be composed of a representative of the Depatrment of Highways a representative of the Department of Revenue and a representative of the Pennsylvania [Motor] State Police who shall be appointed by the Governor to serve at his pleasure The Governor shall designate one of its members as chairman The members of the committee shall receive no additional compensation for their services

Section 2 The committee shall have the power and its duty shall be

(a) To cooperate with the agencies of this and other states and of the Federal government which are connected with national defense in the formulation and execution of plans for the rapid and safe movement over the highways of troops vehicles of a military nature and materials affecting the national defense

(b) To coordinate the activities of the Department of Highways the Department of Revenue and the Pennsylvania [Motor] State Police in a manner which will best serve to effectuate any such plan for the rapid and safe movement of troops vehicles and materials as referred to in paragraph (a) of this section

(c) To solicit the cooperation of officials of the various political subdivisions of the Commonwealth in the proper execution of such plans

(d) To take an inventory by counties of the trucks and busses in the Commonwealth publicly and privately owned which would be available in case of emergency affecting the national defense

Section 4 The Department of Highways the Department of Revenue and the Pennsylvania [Motor] State Police with the approval of the Governor shall cooperate with the committee in the use of such of their employes facilities supplies and equipment as the committee with the approval of the Governor shall deem necessary to enable it to carry out its functions under this act The traveling and other expenses of members of the committee and of such employes shall be paid out of the appropriations to the State agencies with which they are associated

Section 2 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 819, entitled:

An Act to further amend the title and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1314) entitled as amended "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth prescribing the qualifications for admission of such persons to such school providing for the payment of certain costs by such students conferring certain powers upon the Pennsylvania Motor Police and making an appropriation" by imposing upon the Pennsylvania State Police the duties formerly imposed upon the Pennsylvania Motor Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1314) entitled as amended "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth prescribing the qualifications for admission of such persons to such school providing for the payment of certain costs by such students conferring certain powers upon the Pennsylvania Motor Police and making an appropriation" as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2410) is hereby further amended to read as follows

An Act authorizing the utilization of the Pennsylvania [Motor] State Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth prescribing the qualifications for admission of such persons to such school providing for the payment of certain costs by such students conferring certain powers upon the Pennsylvania [Motor] State Police and making an appropriation

Section 2 Sections one two and three of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2410) are hereby further amended to read as follows

Section 1 Be it enacted et cetera That the Pennsylvania [Motor] State Police shall have the power and its duty shall be to conduct at the Pennsylvania [Motor] State Police Training School courses of instruction for the proper training of persons to act as policemen for the several political subdivisions of this Commonwealth Subject to the provisions of this act the Commissioner of Pennsylvania [Motor] State Police is hereby authorized to establish standards of proficiency training and discipline for persons attending such school and to issue certificates of qualification to graduates of the various courses of instruction The commissioner with the approval of the Governor shall employ such instructors and other employes as may be necessary for the purposes of this act

Section 2 All persons desiring admission to such school for the purpose of instruction shall submit applications to the Commissioner of Pennsylvania [Motor] State Police bearing the recommendation of the mayor of any city or the chairman of the police committee of any city or borough council or the burgess of any borough or the sheriff or the district attorney of any county No application shall be considered unless such applicant

(a) Is a male citizen of the United States of America

(b) Has good moral character and good health

(c) Is at least five feet eight inches tall and weight at least one hundred forty-five pounds

(d) Is a graduate of a public high school or has an education equivalent thereto

Section 3 The Commissioner of Pennsylvania [Motor] State Police shall establish and charge each student a fee sufficient to cover the cost of the board laundry and supplies applicable to such student Such fee shall be payable in advance in monthly installments but shall not exceed the sum of forty dollars ($40.00) per month

All moneys received or collected hereunder shall be paid into the General Fund of the State Treasury through the Department of Revenue and shall be added and credited to the current biennial maintenance appropriation out of the General Fund to the Pennsylvania [Motor] State Police and shall be available and is hereby appropriated for the same purposes for which such current biennial appropriation is available

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 820, entitled:

An Act to amend the title and certain sections of the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled "An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by changing the name of the Pennsylvania Motor Police Retirement System to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police and conforming said act to existing law

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled "An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administraion of the State Employes' Retirement Board providing or contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to he rights of the member or dependents against certain hird parties exempting annuities allowances returns benefits and rights from taxation and judicial processes nd providing penalties" is hereby amended to read as ollows

An Act establishing a Pennsylvania [Motor] State Police Retirement System providing for payments upon etirement death disability involuntary retirement and ertain medical expenses from the State Employes' Rerement Fund under the Administration of the State Emloyes' Retirement Board providing for contributions by members of the Pennsylvania [Motor] State Police and he Commonwealth providing for the guarantee by the ommonwealth of certain of said funds providing for the ubrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties

Section 2 Sections one two four six nine and ten of said act are hereby amended to read as follows

Section 1 Be it enacted &c That the following words and phrases as used in this act shall be construed to have the following meanings

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund and standing to his credit in the fund together with the regular interest thereon

"Beneficiary" any person in receipt of a retirement allowance under this act

"Board" the State Employes' Retirement Board of the [Treasury Department] Department of State

"Contributor" any person who has accumulated deductions in the fund standing to his credit

"Final Salary" the average annual compensation earnable by a contributor before any deductions have been made and exclusive of maintenance allowances and expenses for the five years of service immediately preceding retirement or in the event a member has not served five years the total retirement compensation earnable divided by the number of years served

"Fund" the State Employes Retirement Fund

"Member's Annuity" payments for life derived from contributions made by the contributor

"[Motor] State Police" the Pennsylvania [Motor] State Police

"Original Member" a person employed by the Pennsylvania State Police or the State Highway Patrol prior to January first one thousand nine hundred and twenty-five and who is an employe of the Pennsylvania [Motor] State Police

"New Member" a person who became a member of the Pennsylvania State Police or the State Highway Patrol or the Pennsylvania Motor Police subsequent to December thirty-first one thousand nine hundred and twenty-four

"Prior Service" shall mean service prior to January first one thousand nine hundred and twenty-four

"Regular Interest" interest at the rate of four per centum compounded annually

"Retirement Allowance" the State annuity plus the member's annuity

"State Annuity" payments for life derived from contributions made by the Commonwealth

"Superannuation Retirement Age" shall mean at least (a) sixty years of age during the year one thousand nine hundred and thirty-eight (b) fifty-nine years of age during the year one thousand nine hundred and thirty-nine (c) fifty-eight years of age during the year one thousand nine hundred and forty (d) fifty-seven years of age during the year one thousand nine hundred and forty-one (e) fifty-six years of age during the year one thousand nine hundred and forty-two (f) fifty-five years of age during the year one thousand nine hundred and forty-three (g) fifty-four years of age during the year one thousand nine hundred and forty-four (h) fifty-three years of age during the year one thousand nine hundred and forty-five (i) fifty-two years of age during the year one thousand nine hundred and forty-six (j) fifty-one years of age during the year one thousand nine hundred and forty-seven and (k) fifty years of age during the year one thousand nine hundred and forty-eight or any subsequent year

Section 2 [Motor] State Police Retirement System A retirement system is hereby established for the members of the Pennsylvania [Motor] State Police which system shall be administered by the State Employes' Retirement Board of the [Treasury Department] Department of State

Section 4 Payments into State Employes' Retirement Fund All appropriations made by the Commonwealth out of the Motor License and General Funds all contributions by members of the [Motor] Pennsylvania State Police in the amount hereinafter specified and all interest on and increase of the investments and moneys under this act shall be paid into the State Employes' Retirement

Fund and shall be credited to the proper accounts in said fund as provided by law applying to said fund The Commonwealth shall on receiving the certification of the board periodically contribute such sums of money as the actuary shall estimate shall be required to annually meet the obligations incurred or to be incurred and to establish the reserves provided for in this act

Section 6 Compulsory Membership Every member of the Pennsylvania [Motor] State Police having police power shall be required to become a member of the retirement system established by this act on January first one thousand nine hundred and thirty-eight and thereafter when first becoming a member of the Motor Police or Pennsylvania State Police Contributions by members under this act shall commence with the first payroll after January first one thousand nine hundred and thirty-eight If any person who [becomes] became a member of the Motor Police subsequent to January first one thousand nine hundred and thirty-eight or any person who becomes a member of the Pennsylvania State Police subsequent to June first one thousand nine hundred forty-three shall have been at any time theretofore in the Commonwealth's employ he shall receive credit for any such service prior to January first one thousand nine hundred and thirty-eight or prior to June first one thousand nine hundred forty-three as the case may be upon complying with the provisions of this act

Section 9 Payments by Contributors All original and new members shall be required to contribute into the fund at the same rate of contribution according to age as is required of State employes contributing at the one one-hundredth rate under the State Employes' Retirement Act All original employes who were not members of the State Employes' Retirement System shall have the option of becoming original members of the retirement system established by this act but shall be required to pay into the fund a sum equal to all back payments which such person would have made had he become a member of the State Employes' Retirement System when the same was established In like manner any new member may elect to make back payments to the date when he first entered the service of the Pennsylvania State Police [or] the State Highway Patrol or the Pennsylvania Motor Police Such back payments of original and new members may be spread over a period of years by having the regular payroll deduction of the contributor increased by not less than one-third of the amount thereof which deduction increase shall be credited to such back payments owing and shall be continued until the full amount of such back payments have been completed Any such deduction increase may be anticipated in part or in full by the contributor at any time and shall be anticipated in full at the time of retirement before a retirement allowance is granted and if not so anticipated then his member's annuity shall be calculated on the total accumulated deductions standing to his credit in the fund and the state annuity shall be reduced by an amount equivalent to the reduction which occurs in the member's annuity due to the amount of back payments not so anticipated

Every contributor who was a member of the State Employes' Retirement System shall receive full credit under this act for all contributions made into the fund and for all service credits to which he was entitled under the State Employes' Retirement System

Section 10 Contributions by the Commonwealth The Commonwealth shall contribute from the General Fund and from the Motor License Fund from time to time sufficient moneys to build up the reserves required to pay to each contributor upon superannuation retirement a State annuity equal to (a) one one-hundredth of his final salary for each year of total service and in addition thereto if an original member of one one-hundredth of his final salary for each year of prior service and (b) an additional State annuity which shall be equivalent to the additional member's annuity which the accumulated deductions standing to the credit of the contributor would purchase if he retired at age sixty under the State Employes' Retirement System

The amounts to be paid by the Commonwealth from the General Fund and the Motor License Fund into th State Employes' Retirement Fund shall be apportione in the same ratio as the salaries of the members of th Pennsylvania [Motor Patrol] State Police

Section 3 This act shall become effective the first da of June one thousand nine hundred forty-three

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the pro visions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem

NAYS—0

A majority of all the Senators having voted "aye" tl question was determined in the affirmative.

Ordered, That the Clerk return said bill to the Hou of Representatives with information that the Senate h passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consi eration of House Bill No. 824, entitled:

An Act to further amend certain sections of the a approved the first day of May one thousand nine hu dred twenty-nine (P. L. 1046) entitled "An act a propriating the moneys in the Motor License Fun as reenacted and amended by making the moneys the Motor License Fund available to the Pennsylvar State Police to defray the expenses required by su agency in the proper conduct of part of its work

The General Assembly of the Commonwealth of Pen sylvania hereby enacts as follows

Section 1 Sections four and seven of the act approv the first day of May one thousand nine hundred twent nine (P. L. 1046) entitled "An act appropriating t moneys in the Motor License Fund" as last re-enact and amended by the act approved the twenty-ninth d of June one thousand nine hundred thirty-seven (P. 2412) are hereby further amended to read as follows

Section 4 As much of the money from time to ti in the Motor License Fund is hereby appropriated to t Pennsylvania [Motor] State Police as shall be deem by the Governor to be apportionable to the work of t Pennsylvania [Motor] State Police in enforcing the la regulating the use of the highways of this Commo wealth and in assisting the Department of Revenue the collection of motor license fees fees for titling v hicles and tractors operators' license fees and the t on liquid fuels and the issuance of certificates of ti and motor and operators' licenses Such moneys shall transferred from time to time out of the Motor Lice Fund to the General Fund shall be credited to the c rent appropriation out of the General Fund to the Pe sylvania [Motor] State Police and shall be available the purposes for which such appropriation is appropria by law

Section 7 Estimates of the amounts to be expen from the Motor License Fund under this act or a other act from time to time by the Department of R enue the Pennsylvania [Motor] State Police and the Department of Highways respectively and by the Board of Finance and Revenue in the payment of claims for refund shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys whatsoever out of the Motor License Fund by the Board of Finance and Revenue for refunds or by the Department of Revenue or by the Pennsylvania [Motor] State Police or by the Department of Highways for any purpose whatsoever in excess of the estimates approved by the Governor any other act or acts heretofore enacted to the contrary notwithstanding

Subject to the foregoing provisions the moneys in the Motor License Fund shall be paid out of the fund upon warrant of the Auditor General drawn after requisition by the Board of Finance and Revenue the Department of Revenue the Pennsylvania [Motor] State Police or the Department of Highways as the case may be

Section 2 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 826, entitled:

An Act to further amend sections eight hundred and twenty-three (i) and (j) and one thousand two hundred and eleven of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended by changing the name Pennsylvania Motor Police to Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections (i) and (j) of section eight hundred twenty-three of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) are hereby amended to read as follows

Section 823 Official Inspections

(i) The secretary is hereby authorized and required to issue a certificate of school bus inspection for every vehicle owned by or used under contract with any school or school district which conforms with the provisions of this act and with the regulations of the State Council of Education of Pennsylvania Such certificate shall bear the approval of and be counter-signed by the Commissioner of the Pennsylvania [Motor] State Police This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission

(j) The owner of every vehicle which is to be used for the transportation of school children shall in addition to any other inspection required by this act submit such vehicle to the Pennsylvania [Motor] State Police sometime during every August or prior to operating such vehicle for the transportation of school children during the school year to determine whether such vehicle conforms with the provisions of this act and the regulations of the State Council of Education of Pennsylvania This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission

Section 2 Section one thousand two hundred eleven of said act as last amended by the act approved the twenty-seventh day of June one thousand nine hundred thirty-nine (P. L. 1135) is hereby amended to read as follows

Section 1211 Limitation of Authority for Pennsylvania [Motor] State Policemen Such employes of the Commonwealth as are designated as Pennsylvania [Motor] State Policemen are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth to arrest on view on Sunday or any other day when in uniform without writ rule order or process any person violating any of the provisions of this act in addition to any other power or authority conferred by law

Whenever an arrest is made upon view on Sunday or any other day under the provisions of this section the officer making the arrest shall forthwith take the defendant before the nearest available magistrate in the city borough incorporated town or township where the alleged offense occurred Provided however That where there is no substantial difference between the respective distances from the place where the alleged violation occurred to the offices of more than one magistrate any such prosecution may be brought before any one of such magistrates or if there is no magistrate available in such district then the officer shall forthwith take the defendant to such nearest available magistrate in any adjoining city borough incorporated town or township and shall make and file with the magistrate before whom the arrested person is taken an information setting forth in detail the offense and at once furnish a copy thereof to the person arrested

Any person so arrested on any day other than Sunday shall be given the opportunity of having an immediate hearing or of waiving a hearing or of giving bail and any person so arrested on Sunday shall be given the opportunity of giving bail which shall be accepted by the magistrate the same as on any other day as provided in this act for a hearing before the magistrate to be held at a date not more than ten days from the date of such arrest or of waiving a hearing and giving bail for his appearance in court

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 829, entitled:

An Act to amend the title and sections four five six and eight of the act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled "A supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled 'An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents
against certain third parties exempting annuities allo
ances returns benefits and rights from taxation a
judicial processes and providing penalties'" by chan
ing the name Pennsylvania Motor Police Retireme
System to Pennsylvania State Police Retirement Syste
and the name Pennsylvania Motor Police to Penns
vania State Police

The General Assembly of the Commonwealth of Pen
sylvania hereby enacts as follows

Section 1 The title of the act approved the third d
of July one thousand nine hundred forty-one (P. L. 24
entitled "A supplement to the act approved the twent
ninth day of June one thousand nine hundred thirty-sev
(P. L 2423) as amended entitled 'An act establishing
Pennsylvania Motor Police Retirement System providi
for payments upon retirement death disability involunta
retirement and of certain medical expenses from the Sta
Employes' Retirement Fund under the Administration
the State Employes' Retirement Board providing for co
tributions by members of the Pennsylvania Motor Pol
and the Commonwealth providing for the guarantee
the Commonwealth of certain of said funds providing
the subrogation of the Commonwealth to the rights
the member or dependents against certain third part
exempting annuities allowances returns benefits and rig
from taxation and judicial processes and providing pe
alties'" is hereby amended to read as follows

A Supplement to the act approved the twenty-ninth d
of June one thousand nine hundred thirty-seven (P.
2423) as amended entitled "An act establishing a Per
sylvania [Motor] State Police Retirement System prov
ing for payments upon retirement death disability
voluntary retirement and of certain medical expen
from the State Employes' Retirement Fund under
Administration of the State Employes' Retirement Bo
providing for contributions by members of the Penns
vania [Motor] State Police and the Commonwealth p
viding for the guarantee by the Commonwealth of cert
of said funds providing for the subrogation of the C
monwealth to the rights of the member or depende
against certain third parties exempting annuities all
ances returns benefits and rights from taxation and judi
processes and providing penalties"

Section 2 Sections four five six and eight of said
are hereby amended to read as follows

Section 4 A member who complies with section
or section three of this act shall be classified by
board as a Pennsylvania [Motor] State Police mem
in active military service and shall thereafter during s
active military service and for a period of forty (
days after the completion of such active military ser
be entitled to all the benefits to which he or she
be entitled upon the date of entry into active milit
service under the provisions of the act to which
is a supplement as fully as though such member
tinues to be in the actual employment and service
the Commonwealth of Pennsylvania at the salary s
member had been receiving on the date of his or
entry into active military service Provided however T
such member and his dependent or dependents shall
have the right to those payments upon death for w
provision is made in section eleven or to retire u
disability under the provisions of section thirteen o
receive or to have paid for the member's benefit med
surgical and hospital expenses under the provision
section twenty-two of the act to which this is a
plement except in each case as hereinafter provide
such member returns to the actual employ and ser
of the Commonwealth within a period of forty (40)
after such active military service the head of the
partment shall certify such member as an employe
active military service

Section 5 A member who does not file with
board an election to pay his salary deductions into
fund as provided in section two of this act shall
classified as a nonpaying [Motor] State police membe
active military service of the Pennsylvania [Motor] S
Police Retirement System until he or she shall re

ɔ the actual employ or service of the Commonwealth or
ntil such member complies with section three of this
ct in the manner provided or for the period of such
ctive military service and for forty (40) days after the
ompletion of such active military service Such member
hall enjoy all the benefits to which the member was
ntitled upon the date of entry into active military serv-
:e under the laws of the Commonwealth of Pennsylvania
elating to the Pennsylvania [Motor] State Police Retire-
ıent System and the State Employes' Retirement Asso-
iation and the State Employes' Retirement Fund Provided
owever That such member and his dependent or de-
endents shall not have the right to the benefit of pay-
ıents upon death for which provision is made in section
leven of the act to which this is a supplement or the
ight to the benefit of payment for medical surgical or
ospital expenses for which provision is made in section
wenty-two of the act to which this is a supplement
r the right to retire upon disability under the pro-
isions of section thirteen of the act to which this is
supplement except in each case as hereinafter provided
such member returns to the actual employ and service
f the Commonwealth within a period of forty (40) days
fter such active military service the head of the depart-
ıent shall certify such member as employe with active
ıilitary service

Section 6 A member who shall have withdrawn from
ctual State employment or actual State service for active
ıilitary service may after his or her return to actual
tate employment or actual State service but not more
ıan forty (40) days after the completion of such active
ıilitary service request the board for a physical and
ıedical examination At a time a place and by an ex-
kaminer or examiners to be designated by the board the
pplicant shall appear for and submit to such examina-
on If the examiner or examiners shall find as a fact
ıat such member is free from physical or mental in-
ıpacity which renders him or her or is likely to ren-
er him or her incapable of performing the duties of
s or her employment the examiner or examiners shall
certify to the board whereupon the board shall class-
y the applicant as a Pennsylvania [Motor] State Police
ember free from active military service disability and
ıereupon such member shall become entitled to enjoy all
ıe benefits to which the member was entitled under the
t to which this is a supplement on the date of en-
y into active military service including the retirement
lowance payable upon the death of a contributor as a
rect and proximate result of injuries received in the
ourse of his employment under the provisions of section
even of the act to which this is a supplement and
e right to retire upon disability under the provisions
section thirteen of the act to which this is a supple-
ent if the cause for disability is not incurred in or
lated to the member's active military service and the
ght to medical surgical or hospital expenses thereafter
curred and for which provision is made in section
venty-two of the act to which this is a supplement If
e examiner or examiners find as a fact that such
ember is physically or mentally incapacitated for the per-
rmance of the duties of the employment which he had
hen last in the actual employ or service of the Com-
onwealth the examiner or examiners shall certify to the
ard the nature and degree of such physical or mental
capacity or disability whereupon the board shall classify
e applicant as a member with active military service
sability and thereupon such member may elect to ac-
pt the benefit of the provisions of section eleven of
e act approved the twenty-seventh day of June one
ousand nine hundred twenty-three (P. L. 858) as
nended or the benefit of section eight of this act
the benefits of the act to which this is a supple-
ent without disability rights and shall be classified by
e board as State employe without disability rights Such
ate employe shall enjoy all the rights incident to mem-
rship in the retirement system except the right to re-
e for disability or upon disability and to receive a
sability retirement allowance Such member's salary
duction shall be reduced accordingly Such election shall
be in writing in form prescribed by the board and shall be filed with the board not later than fifty (50) days after the completion of such active military service

Section 8 Every employe who shall have been engaged in active military service and who shall have returned to State employment or State service without examination or certification as required by sections six and seven of this act shall be classified by the board as Pennsylvania [Motor] State Police members without disability rights Such member shall enjoy all rights incident to membership in the system except the right to retire for disability or upon disability and to receive a disability retirement allowance Such member's salary deduction shall be reduced accordingly

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 831, entitled:

An Act to amend the title and certain sections of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 660) entitled "An act providing for the return of escaped prisoners and convicts after apprehension to the penitentiary or state institution from which they escape by the agents of the Department of Justice or the Pennsylvania Motor Police and requiring the penitentiary or state institution to defray the expenses thereof" by changing the name Pennsylvania Motor Police to Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 660) entitled "An act providing for the return of escaped prisoners and convicts after apprehension to the penitentiary or state institution from which they escape by the agents of the Department of Justice or the Pennsylvania Motor Police and requiring the penitentiary or state institution to defray the expenses thereof" is hereby amended to read as follows

An Act providing for the return of escaped prisoners and convicts after apprehension to the penitentiary or state institution from which they escape by the agents of the Department of Justice or the Pennsylvania [Motor] State Police and requiring the penitentiary or state institution to defray the expenses thereof

Section 2 Sections one and two of said act are hereby amended to read as follows

Section 1 In all cases where a prisoner or convict after an escape from a penitentiary or other state correctional institution is apprehended or arrested by any officer having authority to make such arrest the said officer shall notify the penitentiary or state institution from which the escape was made which institution shall notify the Department of Justice or the Pennsylvania [Motor] State Police who shall immediately send an officer or officers to return the prisoner to the penitentiary or state institution

Section 2 All necessary expenses incurred by the officer or officers in returning such prisoner or convict to the penitentiary or state institution shall be borne by the penitentiary or state institution from which the escape was made which expenses shall be refunded to the Department of Justice or the Pennsylvania [Motor] State Police as the case may be whose officer or agent makes such return

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 833, entitled:

An Act to further amend the title and the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 414) entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania Motor Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties" by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 414) entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania Motor Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties" as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2433) is hereby further amended to read as follows

An Act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania [Motor] State Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties

Section 2 Sections one two three four five and six of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2433) are hereby further amended to read as follows

Section 1 From and after the passage of this act the Pennsylvania [Motor] State Police shall continue to procure and file for record photographs pictures descriptions finger prints and such other information as may be pertinent of all persons who have been or may hereafter be convicted of crime within this Commonwealth and also of all well-known and habitual criminals wherever they may be procured

Section 2 It shall be the duty of the persons in charge of any State penal institution or of any jail prison or workhouse within this Commonwealth to furnish to the Pennsylvania [Motor] State Police upon request the finger prints photographs and description of any person detained in such institution jail prison or workhouse

Section 3 The Pennsylvania [Motor] State Police the persons in charge of State penal institutions the wardens or keepers of jails prisons and workhouses within this Commonwealth and all police officers within the several political subdivisions of this Commonwealth shall have the authority to take or cause to be taken the fingerprints or phohographs of any person in custody charged with the commission of crime or who they have reason to believe is a fugitive from justice or a habitual criminal and it shall be the duty of the chiefs of bureaus of all cities within this Commonwealth to furnish daily to the Pennsylvania [Motor] State Police copies of the fingerprints and if possible photographs of all persons arrested within their jurisdiction charged with the commission of felony or who they have reason to believe are fugitives from justice or habitual criminals such finger prints to be taken on forms furnished or approved by the Pennsylvania [Motor] State Police It shall be the duty of the Pennsylvania [Motor] State Police immediately upon the [reecipt] receipt of such records to compare them with those already in their files and if they find that any person arrested has a previous criminal record or is a fugitive from justice forthwith to inform the arresting officer or the officer having the prisoner in charge of such fact

Section 4 It shall be the duty of the Pennsylvania [Motor] State Police to cooperate with agencies of other States and of the United States having similar powers to develop and carry on a complete interstate national and international system of criminal identification and investigation and also to furnish upon request any information in its possession concerning any person charged with crime to any court district attorney or police officer of this Commonwealth or of another state or of the United States

Section 5 (a) The district attorneys of the several counties are hereby authorized and empowered from time to time to employ the services of experts on finger prints to assist them in the investigation of pending cases and to testify upon the trial thereof The compensation of any such expert shall be fixed by the district attorney employing him with the approval of the court of quarter sessions and shall be paid from the county treasury upon warrant of the county commissioners in the usual manner

(b) The district attorney of any county the warden or keeper of the county jail or any expert employed by the district attorney or any other person designated by the district attorney shall have the power upon the written order of the district attorney to take the finger prints of any person confined in the county jail of such county for use in the identification of the prisoner or upon his trial

(c) The district attorneys of the several counties shall keep and arrange files of the finger prints taken under the provisions of this act of persons convicted of crime and shall destroy the finger prints of all persons acquitted The files of finger prints maintained by the district attorneys shall be open to the inspection of any other district attorney of this Commonwealth or their representatives or of the Pennsylvania [Motor] State Police or any sheriff or police or peace officer

(d) District attorneys shall not be authorized to take finger prints under this section of persons arrested for misdemeanors unless the district attorneys have reason to believe that such persons are old offenders against the penal laws of this Commonwealth

Section 6 Neglect or refusal of any person mentioned in this act to make the report required herein or to do or perform any other act on his part to be done or performed in connection with the operation of this act shall constitute a misdemeanor and such person shall upon conviction thereof be punished by a fine of not less than five nor more than twenty-five dollars or by imprisonment in the county jail for a period of not exceeding thirty days or both in the discretion of the court Such neglect or refusal shall also constitute malfeasance in office and subject such person to removal from office Any person who removes destroys or mutilates any of the records of the Pennsylvania [Motor] State Police or of any district attorney shall be guilty of a misdemeanor and such person shall upon conviction thereof be punished by a fine not exceeding one hundred dollars or by imprisonment in the county jail for a period of not exceeding one year or by both in the discretion of the court

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the uestion was determined in the affirmative.

Ordered, That the Clerk return said bill to the House f Representatives with information that the Senate has assed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 889, entitled:

n Act to amend section eight of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by changing the name State Highway Patrolmen to Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" is hereby amended to read as follows

Section 8 Such employes of the Commonwealth as are designated as ["State Highway Patrolmen"] "Pennsylvania State Police" shall aid the Department of Revenue in the enforcement of this act and for this purpose are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth to arrest on view without writ rule order or process any person known to have violated or who is suspected of having violated any of the provisions of this act

Section 2 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 170, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 1, page 3, line 7, by inserting a parenthesis after the figure "781", thus ")".

It was agreed to.

The section was agreed to as amended.

The second and third sections were separately read and agreed to.

The fourth section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 4 (Sec. 208), page 7, line 16, by striking out the word "Administrative" and inserting in lieu thereof: "administrative".

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendment:

Amend Sec. 5 (Sec. 712), page 12, line 2, by striking out "Departmen" and inserting in lieu thereof: "Department".

It was agreed to.

The sixth section was read and agreed to.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. WADE offered the following amendments:

Amend Sec. 7, page 13, line 5, by inserting after the figure "7" the following: "(a) All books, papers, maps, charts, plans, records and"; Amend Sec. 7, page 13, line 6, by striking out all of said line.

They were agreed to.

The section was agreed to as amended.

The eighth and ninth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 172, PRINTER'S No. 138 PLACED ON POSTPONED CALENDAR

Mr. HEYBURN. Mr. President, I move that House Bill No. 172, Printer's No. 138, on second reading, entitled:

An Act providing that the State of Pennsylvania may enter into a compact with any one or more of the States of Maine New Hampshire Massachusetts Connecticut Rhode Island New York New Jersey Delaware Maryland Virginia North Carolina South Carolina Georgia and Florida and with such other states as may join to promote the better utilization of the fisheries marine shell and anadromous of the Atlantic Seaboard and to create the Atlantic States Marine Fisheries Commission providing for the members of such commission from the State of Pennsylvania providing for the carrying out of said compact and making an appropriation

be placed upon the Postponed Calendar.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 209, entitled:

An Act to further amend section eleven (b) of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating the requirements for license as an osteopathic surgeon.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE BILL No. 316 PRINTER'S No. 205 PLACED ON POSTPONED CALENDAR

Mr. HEYBURN. Mr. President, I move that House Bill No. 316, Printer's No. 205, on second reading, entitled:

An Act to add section six hundred ninety-nine and seven-tenths to the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" making it unlawful to capture take or have in ones possession lobsters under a certain size

be placed upon the Postponed Calendar.

Mr. WOODWARD. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 332, entitled:

An Act to amend section one thousand two hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the refund of certain moneys erroneously paid into the State Treasury for hunting license fees by former county treasurers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 354, entitled:

An Act to further amend clause (d) of section four of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 452), entitled, as amended, "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to sell and convey projects and property to the Commonwealth, the United States, or any Federal agency

The first section was read.
On the question,
Will the Senate agree to the section?
Mr. HEYBURN offered the following amendments:

Amend Section 1, page 5, line 3, by striking out with boldface brackets the following: "[the United States of America or];" Amend Section 1, page 5, line 4, by striking out with boldface brackets the following: "[any Federal agency];" Amend Section 1, page 5, line 7, by inserting after the word "Authority" the following: "and with the approval of the Governor to sell transfer and convey to the United States of America or any Federal agency the Butler Tuberculosis Sanatorium."

They were agreed to.
The section was agreed to as amended.
The second section was read and agreed to.
The title was read.
On the question,
Will the Senate agree to the title?
Mr. HEYBURN offered the following amendment:

Amend line 6 of the title on page 2 by inserting after the word "Commonwealth" and before the word "the" the following: "and to sell and convey the Butler Tuberculosis Sanatorium to."

It was agreed to.
The title was agreed to as amended.
And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 356, on second reading, entitled:

An Act to amend clause one of section seven hundred two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the laws relating thereto" increasing the period for which contracts for lighting may be made

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 377, entitled:

An Act abolishing the State Forests and Waters Fund in the State Treasury; providing for the payment of the moneys therein and all future moneys heretofore payable into such special fund into the General Fund; making the same available for all lawful expenditures; and making certain repeals.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 419, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-one thousand acres of land in the County of Franklin, Commonwealth of Pennsylvania, known as the Letterkenny Ordnance Depot, and ceding jurisdiction to the United States

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 420, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Lancaster County, Pennsylvania, known as the Marietta Holding and Reconsignment Point, and ceding jurisdiction to the United States

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 465, on second reading, entitled:

An Act authorizing the Department of Welfare to enter into contracts for foodstuffs to supply State and State-aided institutions, and to purchase the same in open market, and to process the same for preservation; providing for transfers from appropriations made to such institutions in payment therefor; authorizing dehydrating plants and equipment at State institutions, and the use of inmate labor thereat; conferring power and imposing duties on the Department of Property and Supplies; and making an appropriation

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 473, on second reading, entitled:

An Act to further amend sections four five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by limiting the power of an Authority to acquire the title to projects subject to the jurisdiction of the Pennsylvania Public Utility Commission authorizing an appeal to the court of common pleas from such action on the part of the Authority; and providing that Authority bonds shall be sold only at public sale after public notice by advertisement

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 497, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Navigation Commission of the Delaware River, to secure accommodations ashore for use by said commission in the conduct of the nautical school now located at the Port of Philadelphia; and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 497, the bill just read, be recommitted to the Committee on Appropriations.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 498, entitled:

An Act creating a commission to make a study and investigation of strip mining; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 500, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia, Pennsylvania, known as the Frankford Arsenal, and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 516, on second reading, entitled:

An Act authorizing during the continuance of the present war and for a period thereafter the employment of certain minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 534, entitled:

An Act to amend section four hundred thirty-seven and to further amend section four hundred thirty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," changing the amount of aid which the board of county commissioners may pay out of the county funds to the historical society of the county, and changing the qualifications of historical societies to receive county appropriations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 540, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Montgomery County, Pennsylvania, known as the United States Naval Air Station, Hatboro Willow Grove, Pennsylvania, and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 544, entitled:

An Act to amend section two hundred fifty-six of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," giving fish wardens, while in uniform, power to stop boats, vehicles and conveyances for search and investigation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 545, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Cumberland County, Pennsylvania, for a supply depot, known as the United States Naval Supply Depot, Mechanicsburg, Pennsylvania, and ceding jurisdiction to the United States.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 549, entitled:

An Act to further amend sections three hundred one and three hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by authorizing the Board of Finance and Revenue with the approval of the Governor to invest State deposits in short-term obligations of the United States government and to dispose of the same.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. TALLMAN offered the following amendments:

Amend section 1 (Section 301) page 4, line 25, by inserting after the word "in" and before the word short-term the word "direct"; Amend section 1 (Section 301), page 5, line 4, by inserting after the word "shall" and before the word "be" the following words "have accumulated beyond the ordinary needs of various funds"; Amend section 1 (Section 301), page 5, lines 4, 5, 6 and 7, by striking out the words "be deemed necessary to keep the amounts of such moneys on deposit in the various State depositories within the limitations prescribed by or under the provisions of this act."

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 813, on second reading, entitled:

An Act to amend sections three hundred ten and three hundred eleven of the act approved the third day of June one thousand nine hundred and thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by providing for monthly returns and payment by issuing agents and requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 838, entitled:

An Act to further amend section four of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" by suspending under certain conditions the operation of certain provisions during the present war.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 841, on second reading, entitled:

An Act to further amend section two hundred twenty-five of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by requiring that amount of bond of issuing agents shall be fixed by Secretary of Revenue.

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 914, entitled:

An Act to further amend the title and certain sections of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania Motor Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania Motor Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania Motor Police and the enforcement of its orders and prescribing penalties" by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 134, entitled:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solicitation of moneys and property for charitable religious benevolent humane and patriotic purposes" by providing that said act shall not apply to certain war veterans' organizations or the subordinate units thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 279, entitled:

An Act to amend sections one two three six ten twenty-four and twenty-six of the act approved the fifth day of June one thousand nine hundred and forty-one (P. L. 84) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" by making said act applicable permanently to all boroughs incorporated towns and townships of the first and second class which maintain a police force making special provision in the case of appointments made during the present war and for a period thereafter and saving certain provisions of law from repeal.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 403, entitled:

An Act to further amend section three hundred and eight of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto: abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," providing for the issuance of bonds in accordance with the "Municipal Borrowing Law," changing the conditions for borrowing money for current expenses.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 403, entitled:

An Act to amend section seven of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by requiring a copy of the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association to be kept in every pharmacy.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 427, entitled:

An Act to amend Sections 2501, 2504, 2505 and 2506 of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," providing for the payment of sewer assessments in monthly or quarterly instalments; regulating the filing of liens therefor and authorizing the filing of such liens after the time fixed by law shall have expired.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 532, entitled:

An Act to further amend the last paragraph of section five of the act approved the twelfth day of May, one thousand nine hundred eleven, (P. L. 295), entitled "A supplement to an act, entitled 'An act for the government of cities of the second class' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection, and disbursement of taxes and water-rents, or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for," requiring the board of water assessors to furnish information to departments of the city government.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 565, entitled:

An Act to amend section one of the act approved the sixteenth day of May, one thousand nine hundred thirty-nine (P. L. 139) entitled "An act authorizing counties, cities, boroughs, townships of the first and second class, and school districts to issue and sell bonds for certain purposes and for a certain period of time; providing for a trust fund and a sinking fund for the payment thereof, and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds; and fixing a penalty for the violation thereof," extending the provisions thereof to meet increased operating expenses during the war emergency.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 595, entitled:

An Act to amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing becoming a nonresident of the State as a cause for forfeiture of rights under the police pension fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 626, entitled:

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors where the Township has received in maintenance and improvement of its highways a reasonable quid pro quo for such contracts and to authorize ratify confirm and validate payments on such contracts by the Township and to provide that no Township Supervisor shall be subject to surcharge for payments heretofore made on any such contract.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. STIEFEL, from the Committee on Appropriations reported as committed, Senate Bill No. 145, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

He also, from the Committee on Appropriations, re-reported as committed, House Bill No. 522, entitled:

An Act relating to post-war planning creating a Post-War Planning Commission and defining its powers and duties conferring powers and duties upon State administrative departments boards and commissions political subdivisions and other agencies and making an appropriation.

MOTION TO READ BILLS THE FIRST TIME

Mr. HEYBURN. Mr. President, I move that the Senate do now proceed to the first reading of all bills reported from committees for the first time at today's session.

Mr. THOMAS. Mr. President, I second the motion.

Mr. HOLLAND. I object, Mr. President.

Mr. HEYBURN. Mr. President, evidently the filibuster is still going on; I thought it was over.

Mr. HOLLAND. Mr. President, I object to the motion and therefore the motion can not prevail.

The PRESIDENT PRO TEMPORE. The Chair does not so understand. We could still read bills which have been printed.

MOTION WITHDRAWN

Mr. HEYBURN. Mr. President, I withdraw the motion.

Mr. JAMES. Mr. President, I withdraw my seconding of the motion.

The PRESIDENT PRO TEMPORE. Very well, the motion is withdrawn.

BILLS INTRODUCED AND REFERRED

Mr. WALKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. WALKER read in place and presented to the Chair Senate Bill No. 595, entitled:

An Act to amend section twelve of the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," conferring jurisdiction on the county court of Allegheny county in cases of appeals from the board of property assessment, appeals and review.

Which was committed to the Committee on Judiciary General.

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. KEPHART read in place and presented to the Chair Senate Bill No 596, entitled:

An Act to further amend section one thousand six hundred seven of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making the teaching of Spanish compulsory in school districts of the first class.

Which was committed to the Committee on Education.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Tuesday, April 20, 1943, at 2:00 o'clock p. m., Eastern War Time.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock p. m. Eastern War Time until Tuesday, April 20, 1943, at 2:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

MONDAY, April 19, 1943.

The House met at 9 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Rev. C. Ralston Smith, Pastor of The Pine Street Presbyterian Church, Harrisburg, a guest of the Chaplain, offered the following prayer:

Almighty God, we rejoice that great as Thou art, Thou dost still delight in the fellowship of mere man. We are Thy people and the sheep of Thy pastures. Guide with Thine eye, we beseech Thee, our ways in the earth that we may at last be found in the fold of Thy eternal home.

Our petition tonight is for those who guide the destiny of our nation. Just Thou art and dost rule by law and order. Thou seest sin as a reproach to any people. Supervise then, the acts of those who have been invested with great responsibility in the leading of our nation, our commonwealth, and our community. Particularly endue with power from on high these representatives of the people that theirs may be both wisdom to discern the right and diligence to follow in its way.

Cleanse our hearts that we may act from honest motives purely. Enrich our faith that we may trust in God and heaven securely. In the name of Jesus Christ who loved us and gave Himself for our sins. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Thursday, April 15, 1943.

The Clerk proceeded to read the Journal of Thursday, April 15, 1943, when, on motion of Mr. Bonawitz unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILL INTRODUCED AND REFERRED

By Messrs. WORLEY and BROWN.

HOUSE BILL No. 1100.

A Joint Resolution proposing an amendment to section four, article three of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 228, 695 and 697.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill 228, Printer's No. 147, entitled "An Act to further amend section four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended 'An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties' by postponing the time for the taking effect of orders of the Pennsylvania Liquor Control Board suspending or revoking licenses for a period of twenty days during which time the licensee may take an appeal."

I have the honor to inform you that I have this day approved and signed House Bill No. 695, Printer's No. 132, entitled "An Act to repeal the act approved the twenty-third day of June one thousand eight hundred and ninety-seven (Pamphlet Laws 202) entitled 'An act to prevent fraud and deception in the manufacture and sale of cheese and defining what shall constitute the various grades of cheese providing rules and regulations for marking and branding the same, providing for the enforcement of this act prescribing penalties for its violation.'"

I have the honor to inform you that I have this day approved and signed House Bill No. 697, Printer's No. 171, entitled "An Act to amend section one of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 650), entitled 'An act requiring persons, associations, partnerships, and corporations, and their agents, herein defined as dealers and brokers, engaging in the business of buying, receiving, selling, exchanging, negotiating, or soliciting the sale, resale, exchange, or transfer of certain domestic animals, to be licensed by the Department of Agriculture; providing for the revocation of such licenses; imposing certain duties on such dealers and brokers, and their agents; conferring powers on said department; and providing penalties,' by changing the definition of 'dealer.'"

EDWARD MARTIN.

SENATE MESSAGES

The Clerk of the Senate, Mr. McGroerty being introduced, presented the following extracts from the Journal of the Senate:

Resolution time of next meeting.

Senate insists upon Senate amendments to House Bill No. 686.

Conference Committee appointed on House Bill No. 49, which were laid on the table.

TIME OF NEXT MEETING

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 19, 1943.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday evening, April 26, 1943, at four o'clock, and when the House of Representatives adjourns this week, it reconvene on Monday evening, April 26, 1943, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 49

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 49, entitled:

An Act to amend the title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commnowealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard and authorizing additional annual allowances to uniformed officers for arms uniforms and equipment

And has appointed Messrs. Geltz, Crowe and Cox a committee of conference to confer with a similar committee of the House of Representatives (If the House of Representatives shall appoint such committee) on the subject of the differences existing between the two houses in relation to said bill.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Royer for Mr. TROUT for the week.

PRESENTATION

The SPEAKER. The Chair asks unanimous consent of the House to permit a former Speaker of the House, the Honorable Elmer Kilroy, to come to the rostrum for the purpose of making a few interesting remarks. The Chair hears no objection. It gives the Chair great pleasure to present to the House a former Speaker, the Honorable Elmer Kilroy.

Mr. KILROY. Mr. Speaker, I desire to present to a Member of this House a photograph of a great football game. It has been hanging in the office of Mr. Connie Mack, manager of the Philadelphia Athletics for more than forty years. I personally have seen it there most of those years but it was not until last Saturday when the ball game between the A's and the Phillies was postponed on account of rain that I took particular notice of this photograph, some of whom were a former mayor of a large American city, a former judge from Phidadelphia, now deceased, and many other boys who later became famous. It gave me a real thrill when I saw that a Member of this House was one of that team.

In 1902 Mr. Connie Mack owned and managed a football club called the Philadelphia Athletics, which won the Eastern Professional Championship.

Mr. Connie Mack requested me on his behalf to present this photograph to the quarterback of this great team, your own Earl Hewitt from the county of Indiana.

The SPEAKER. The Chair requests the gentleman from Indiana to come to the rostrum. I think we should have some remarks from a great quarterback of many years ago, Mr. Earl Hewitt.

Mr. HEWITT. Mr. Speaker, Mr. Kilroy, Members of the House, ladies and gentlemen, it would take no stretch of the imagination to realize what you people are thinking as I stand before you this evening. You are wondering how a guy like that could ever play football. I might say that forty years makes many changes in the physical makeup of a man, although we should mentally improve as we become weak physically, but this is not quite the case here. I do certainly appreciate this kind thought of Mr. Mack. I was in a small school, although at that time it might be interesting to know that I weighed 185 pounds, I had lots of big, bushy hair, I wore a 17 collar and I wore a big turtle neck sweater, which made me look like a football player. I might say that although we had a small school at State College during those days, we had some very remarkable players on our team.

I know that time is very precious tonight on account of the long calendar, but I might mention to you the two Pierce brothers, Hawley Pierce and Bemus Pierce. They were both All-American. Hawley Pierce weighed 209 pounds, was six feet one inch tall and he had a very fine family. His son was a great electrician for the General Electric and his daughter sang on the radio for a number of years, being full blooded Indians. There was Blondy Wallace, who was captain of the Penn team in 1900, and he was perhaps one of the greatest players of all times, having made the All-American team. Ed Bader was of no school, although he was mayor of Atlantic City for about sixteen years. He died of pneumonia. We also had Bosey Riter of Princeton, Dr. Merriman of Oberlin College, and Curly Davidson of the University of Pennsylvania. Then we had Tiger McFarland, who, as his name implies, was a great player, from W. & J. We had Keagdon, of Columbus, who weighed about 225 pounds and was six feet tall and is today a very prominent lawyer in the city of New York. We had from Syracuse Steinberg, who played halfback and Pasty Weir, a great end. We had many famous players, many of whom have passed on to the great beyond and have taken the great venture.

My greatest blessing has been continued good health, and I thank God tonight for being able after forty years to stand here and address you people. I thank you very much.

Mr. KILROY. Thank you, Mr. Speaker and members of the House for the courtesy you have extended to me this evening.

The SPEAKER. The Chair wishes to thank the former Speaker, the Honorable Elmer Kilroy, as well as the good quarterback of forty years ago, Mr. Earl Hewitt.

BILLS READ AT LENGTH

Mr. COHEN. Mr. Speaker, in accordance with Article III, Section 24, I request that all bills be read at length.

The SPEAKER. The bills will be read at length in accordance with the provisions of the Constitution.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 48, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending certain provisions for Section one thousand and twelve thereof for the duration of the war and six (6) months thereafter.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 49, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending the provisions of Section nine hundred and two (f) thereof for the duration of the war and six (6) months thereafter.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 240, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting alumni or alumnae associations from the provisions of the act in certain cases.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 347, entitled:

An Act to add section six hundred seventeen and one-tenth to the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for special operators' licenses after suspension for persons required to operate motor vehicles in course of employment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 202, entitled:

An Act to further amend paragraph (a) of section four of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by making further changes in the qualifications of members of the Pennsylvania Labor Relations Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 238, entitled:

An Act to amend sections four and six of, and to add section 7.1 to, the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commissions, after popular referendum, and the appointment of their members by the county commissioners; prescribing the powers and duties of such commissioners," providing that the Secretary of Agriculture cooperate with, and be a member ex-officio of, the county mosquito extermination commissions; prescribing powers and duties of the Secretary of Agriculture and said commissions; providing that costs of abating nuisances from breeding of mosquito larvae may be assessed against lands where breeding exists; and providing that said acts shall not apply to counties of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 295, entitled:

An Act to further amend section two hundred fifty-four of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the Board of Fish Commissioners to close streams, or parts thereof, for a certain period after stocking the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 298, entitled:

An Act providing for and regulating the accumulation, investment and expenditure by counties, cities, boroughs, incorporated towns and townships, of funds for post war projects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 37, entitled:

An Act to amend section five hundred forty of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," further regulating the adjustment of indebtedness where part of a township is annexed to a city of the third class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 39, entitled:

An Act to amend section seven hundred seventeen of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," further regulating the adjustment of liabilities and property where part of a township is annexed to a borough.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 173, entitled:

An Act to amend the act, approved the eleventh day of June, one thousand nine hundred thirty-five (P. L. 326), entitled "An act relating to counties of the first class; defining deceased service persons; providing for contributions by the county to the funeral expenses for such persons and their widows; providing for the erection and care of markers, headstones, and flags, and for the compilation of war records," further clarifying the term "deceased service persons"; and changing the provisions for the burial of deceased service persons and their widows, and for markers and headstones on their graves; and changing the name of the veterans' grave registrar to director of veterans' affairs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 585, entitled:

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act supplementary to an act, entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth,' approved the thirty-first day of March, Anno Domini one thousand eight hundred and sixty," by fixing the time for the commencement and prosecution of indictments for felonies committed by certain persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 842, entitled:

An Act to amend section one, to further amend section five, and to amend section six of the act, approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (P. L. 551), entitled "An act prohibiting the employment of miners, as herein defined, in the bituminous coal mines, unless certificated by a miners' examining board; providing for the appointment of such boards, and defining their powers and duties; providing penalties; and making an appropriation," by increasing the number of apprentice miners permitted to work with one miner; re-defining the word "miner"; and reducing the number of years of experience necessary to qualify an apprentice to take examination for certificate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 862, entitled:

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the sixth class; imposing certain charges on counties, and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1039, entitled:

An Act to further amend section five hundred forty-seven of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by further regulating publication of the auditors' report.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 272, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 313, entitled:

An Act authorizing the Department of Public Instruction to act as agent for the several school districts and vocation school districts in the purchase, without bids, and distribution among such districts of material, supplies and equipment subject to priorities and on which prices have been stabilized, to be used in vocational education of workers on war work; and validating such action heretofore taken.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 472, entitled:

Act providing that every mine foreman, assistant mine foreman and fire boss under the Bituminous Mining Laws and the Anthracite Mining Laws of the Commonwealth represent and are officers of the Commonwealth in the mines in which employed; for the suspension or cancellation of the certificates of such officials as shall hold same and for the disqualification of such as are uncertificated by the Secretary of Mines after or prior to hearing for failure or refusal to perform their respective duties; defining the procedure in such hearing and the powers of the Secretary of Mines with respect thereto and providing for a review of his decisions by the Court of Common Pleas of Dauphin County and the Superior Court; providing for reexamination by the Examining Board of any person whose certificate has been cancelled and for reinstatement of such as are uncertificated; and prohibiting the employment by any operator of any person not possessing the requisite certificate or whose certificate is suspended or who has been disqualified.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 171, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," further clarifying the term "deceased service persons"; changing the provisions for the burial of deceased service persons and their widows, and for markers and headstones on their graves; changing the name of the veterans grave registrar to director of veterans' affairs; and prescribing his duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 909, entitled:

An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 211, entitled:

An Act to further amend section nine hundred eight subsection A of section one thousand six and subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments, commissions and officers imposing penalties and repealing certain acts and parts of acts" further regulating the amount and maintenance by further providing for the powers and duties and limitations upon powers of corporations and person authorized to engage in a banking or fiduciary business or both.

And said bill having been read at length at first time, Ordered, To be laid aside for second reading.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 187.

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL INTRODUCED AND REFERRED

By Messrs. NORMAN WOOD and LLOYD H. WOOD.
HOUSE BILL No. 1101.

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public lebt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three.

Referred to the Committee on Appropriations.

CONGRATULATORY RESOLUTION

Mr. HERMAN asked and obtained unanimous consent to present and have the entire Philadelphia delegation sponsor a privileged resolution.

Messrs. Kolankiewicz, Dillon, Herman, Scanlon, Skale, Green, Brigerman, Thompson, Boory, Corrigan, Duffy, Hersch, Cohen, Hoggard, Trent, Welsh, Cullen, Samuel Rose, O'Brien, Tate, Chudoff, Modell and Tate offered the following resolution which was twice read, considered and unanimously adopted:

In the House of Representatives, April 13th, 1943.

Whereas, Although the House of Representatives of the Commonwealth of Pennsylvania is customarily occupied with the consideration of weighty matters of State, nevertheless it can, on occasion forget its august dignity long enough to entertain matters of a purely romantic nature, and

Whereas, It was the privilege of this House, by the adoption of an appropriate resolution, at its last Session on February 18, 1942, to place its stamp of approval upon the engagement of our fellow member the Honorable J. Harold Levy to Miss Mildred Gorenstein, and

Whereas, Since the adoption of said resolution the course of true love has apparently run smoothly for J. Harold Levy and Miss Mildred Gorenstein were married Thursday, April 15, 1943, and

Whereas, The milestones in J. Harold Levy's course from celibate to head of a family seem to be passed only during sessions of the Legislature, and

Whereas, The Members of the House accordingly anticipate further occasion for congratulatory resolution or resolutions at future sessions, therefore be it

Resolved, That this House extends its congratulations and good wishes to the said J. Harold Levy and wishes him and his bride a long and happy married life, and be it further

Resolved, That a copy of this resolution be forwarded to the happy couple immediately.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Levy.

Mr. LEVY. Mr. Speaker, I am at a loss for words. To say that I am very happy would be putting it mildly, but to say that I am very happy about returning here tonight after spending a very delightful honeymoon in New York City would not be telling much of the truth. I am certainly glad to be back, and I thank you, Mr. Speaker, and the sponsors of the resolution and the Members of the House on behalf of my very fortunate bride.

The SPEAKER. If Mrs. Levy is present will the lady please rise? The Chair extends congratulations to the bride and the groom.

Mr. O'BRIEN. Mr. Speaker—

The SPEAKER. Is the gentleman from Philadelphia going on his honeymoon?

Mr. O'BRIEN. I want to go on record, Mr. Speaker, as saying that the only time I have ever seen the gentleman from Philadelphia, Mr. Levy, out-shouted was on his wedding night.

The SPEAKER. It was so sudden.

RESOLUTION

RECALLING HOUSE BILL No. 487, FROM THE GOVERNOR

Mr. COOPER offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 19, 1943.

Resolved, (if the Senate concur), that House Bill No. 487, Printer's No. 150, entitled "An act to amend section three of the act approved the third day of May one thousand nine hundred and nine (P. L. 413) entitled 'An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus' by providing for granting of warrants and rights to certain additional lands," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADDITIONAL SPONSORS TO RESOLUTION

Mr. GOODWIN asked and obtained unanimous consent to have three sponsors to a Jefferson Bi-Centennial resolution which he is about to present to the House.

The SPEAKER. The resolution will be filed with the Clerk under the Rules.

BILLS ON SECOND READING

BILLS PASSED OVER

There being no objection

Senate Bill No. 281, Printer's No. 135;

Senate Bill No. 296, Printer's No. 92 on page 9 of today's calendar, and

Senate Bill No. 20, Printer's No. 123, on page 10 of today's calendar,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 486, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and part of acts" further defining the rights powers duties liabilities and immunities of building and loan associations and their shareholders and creditors

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. PAUL L. WAGNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Building and Loan Associations for the purpose of further study.

The motion was agreed to.

BILL PASSED OVER

There being no objection Senate Bill No. 407, Printer's No. 161 was passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 843, entitled:

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by conforming said section to existing law by requiring the tax imposed thereby to be reported and paid to the Department of Revenue instead of the Insurance Commissioner.

The first section was read.

On the question,

Will the House agree to the section?

Mr. COULSON offered the following amendment:

Amend Sec. 1 (Sec. 321), page 3, line 11, by striking out the word "the"

It was agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 481, entitled:

An Act to further amend sections three hundred twenty and three hundred twenty-three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for retirement allowances to all county employes who are dismissed after having not less than twenty years service.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 710, entitled:

An Act providing for the equalization of salaries for tipstaves in the courts of common pleas oyer and terminer and general jail delivery quarter sessions of the peace county court of Allegheny County and orphans' courts in counties of the second class

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 444, entitled:

An Act to further amend sections two thousand six hundred three and two thousand six hundred twenty-three of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by authorizing school districts of the third and fourth classes in certain cases to employ certified public accountants to audit the school finances in lieu of the elected auditors and providing as to the powers duties and compensation of the certified public accountants so employed

The first section was read.
On the question,
Will the House agree to the section?

BILL RECOMMITTED

Mr. LEYDIC. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study and possible amendment.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 758, entitled:

An Act to further amend section fifty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the Board of Fish Commissioners to adopt certain rules and regulations governing the taking of fish by trolling from moving boats electrically propelled or propelled by internal combustion motors and making it unlawful to engage in such trolling in violation of the rules and regulations thus adopted

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 828, entitled:

An Act to further amend section one and paragraphs (a) and (b) of section three and sections four and seven and amend section five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commission of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definition of "week" and "day" and by increasing the hours of labor and temporarily suspending certain restrictions on employment

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 873, entitled:

An Act to amend section one and further amend section four of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain condtiions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during th eperiod of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posed providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by changing the definition of week and by increasing the working hours of miners between the ages of sixteen and eighteen

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 991, entitled:

An Act to amend article thirty-one of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the laws relating thereto" by adding thereto section 3210.1 providing for exoneration of certain sewer assessments and the satisfaction of sewer liens and the discharge of properties covered thereby

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

BILL ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order,
The House proceeded to the consideration on final passage of House Bill No. 440, as follows:

An Act to further amend section seven hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended by the act approved the second day of July one thousand nine hundred thirty-seven (P. L. 2838) is hereby further amended to read as follows

Section 702 Approval of Amendments by Members Before the application is made to the court a resolution authorizing the proposed amendments shall be adopted by the affirmative vote of at least a majority of the members who are then present in person or by proxy and entitled to vote thereon at a regular or special meeting duly convened after at least ten days' written notice to all the members of this purpose If a proposed amendment would make any change in the rights of the members of and class then the members of such class shall be entitled to vote as a class upon such amendment whether by the terms of the article such class is or is not entitled to vote and in addition to the general vote herein required the affirmative vote of at least a majority of the members of each class so affected by the amendment who are present in person or by proxy at such meeting shall be necessary for the adoption thereof Any amendments which might be adopted at a meeting of the members may be adopted without a meeting if written consent to the amendment has been given by all members entitled to vote thereon The resolution shall contain the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full or that any provision thereof be amended so as to read as therein set forth in full or that the matter stated in the resolution be added to or stricken from the articles

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hewitt,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEE MEETINGS

There will be meetings of the Committees on:

Appropriation, Tuesday, April 20, at 12:30 p. m. Room 328.

Building and Loan, Tuesday, April 20, after session. Room 330.

Counties, Tuesday, April 20 at 12 Noon. Room 522.

Education, Tuesday, April 20, at 11 a. m. Room 324.

Insurance, Tuesday, April 20, at 12:30 p. m. Room 330.

Judiciary General, Tuesday, April 20, at 11 a. m. Room 325.

Motor Vehicles, Tuesday, April 20, at 11:30 a. m. Room 329.

Ways and Means, Tuesday, April 20, at 11 a. m. Room 327.

Welfare, Tuesday, April 20, at 10 a. m. Room 330.

Democratic Members of Allegheny County will meet in minority floor leader's office at 11:30 a. m. on Tuesday, April 20, 1943.

There will be a caucus of the Democratic Members on Tuesday, April 20, 1943, at 12 noon in the Old House Caucus Room.

ADJOURNMENT

Mr. GREEN. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 20, 1943, at 1 p. m.

The motion was agreed to, and (at 12:12 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., TUESDAY, APRIL 20, 1943. No. 45.

SENATE

TUESDAY, April 20, 1943.

The Senate met at 2:00 o'clock, p. m., Eastern War Time.

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D.D., offered the following prayer:

O Lord, our God, the daily meeting of this Senate is opened with prayer. Our fathers introduced the custom because they were God-conscious men. We of today retain the custom. May we do so for the reason that we believe, as they did, in the God of Nations. More than they knew we know that Thou art our God, for we have seen Thy directing hand and preserving care in our Nation's history. Against foreign enemies we have been victorious. Through the horrors of a civil war that threatened to divide and destroy the Nation Thou did'st bring us to unity and peace. May that unity never be broken.

Our peace has again been broken by the unwarranted assaults of enemy nations who envy our prosperity and security. Millions of our young men have offered themselves on the altar of patriotism and many lives are being sacrificed. We pray fervently that they may not die in vain, and we believe they will not. God be with them. Cheer their hearts and fortify their souls as they battle for victory and permanent peace.

And we on the home front, having thus far suffered nothing but minor inconveniences, may we not forget what is being done for us, but gladly respond with all we have and are to support those who bear the brunt of battle. Only thus can we prove our patriotism.

And may the God of Battles direct us all, from the President to the humblest worker in the cause.

In the name of our Divine Commander. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. CROWE, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. TAYLOR, on account of illness.

He also asked and obtained leave of absence for Mr. ZIESENHEIM, on account of service in the United States Army.

He also asked and obtained leave of absence for Mr. MALLERY, on account of death in his family.

He also asked and obtained leave of absence for Mr. HOMSHER, on account of death in his family, temporarily.

He also asked and obtained leave of absence for Mr. EDMONDS, on account of illness, temporarily.

Mr. WADE. I understand that Senator Mallery and Senator Edmonds may be here later.

Mr. McGinnis asked and obtained leave of absence for Mr. LANIUS, on account of illness.

He also asked and obtained leave of absence for Mr. MUNDY, who is attending his professional duties.

Mr. WOODWARD asked and obtained leave of absence for himself for Wednesday, April 21, by reason of a death in the family.

PERSONAL PRIVILEGE

Mr. DiSILVESTRO. Mr. President, I rise on a question of personal privilege.

The PRESIDENT. The gentleman from Philadelphia will state his question of personal privilege.

Mr. DiSILVESTRO. Mr. President, in the vote on Senate Bill No. 305, the registration commission bill, last evening, I now discover that after having voted "no" on the bill, that the official records of the Senate do not show that I voted.

I would like the record to show me as voting in the negative. I am sure every Senator in this body recalls not only the interrogation that I conducted with Senator Farrell, but also my statement giving my reasons for voting in the negative, after the filibuster had ceased.

I, therefore, ask the Senate to record me as voting "no" on Senate Bill No. 305, the registration bill.

The PRESIDENT. For the information of the gentleman from Philadelphia, Senator DiSilvestro, the record shows that Senator DiSilvestro did not vote on Senate Bill No. 305. The Senator will also recall that that vote was verified.

However, if it meets with the approval with the Senator from Philadelphia, Mr. DiSilvestro, the Chair suggests that his statement as of today be incorporated in the Legislative Journal.

Mr. DiSILVESTRO. In order to correct the statement of the Chair, I feel that on account of the pandemonium that existed last night, that I can not allow the responsibility to rest on my shoulders. I feel that because the clerks were tired last night the slip-up was involuntarily and not wilful.

However, I wish to be protected in my vote by having today's record show my intention of voting "no."

The PRESIDENT. Will it be satisfactory to the gentleman from Philadelphia if his remarks of today are incorporated in the Legislative Journal.

Mr. DiSILVESTRO. Yes, Mr. President.

The PRESIDENT. Very well, they will be so recorded.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert G. Bonser, 50 Lackawanna Avenue, East Stroudsburg, Monroe County, for appointment as Justice of the Peace in and for the Borough of East Stroudsburg, Monroe County, until the first Monday in January, 1944, vice Ralph J. Booth, deceased.

EDWARD MARTIN.

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, April 19, 1943.

Resolved (if the House of Representatives concur), That when the Senate adjourns this week, it reconvene on Monday evening, April 26, 1943, at four o'clock, and when the House of Representatives adjourns this week, it reconvene on Monday evening, April 26, 1943, at nine o'clock.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL No. 487

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, April 19, 1943.

Resolved (if the Senate concur), That House Bill No. 487, Printer's No. 150, entitled:

An Act to amend section three of the act, approved the third day of May, one thousand nine hundred and nine (P. L. 413), entitled "An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land, the price to be paid for the same, the conveyance to the State Forestry Reservation Commission, where desirable for forest culture or forest preservation, preventing the granting of warrants for the beds of navigable rivers, and providing for acceptance of returns of surveys without limitation as to excess or surplus," by providing for granting of warrants and rights to certain additional lands

be recalled from the Governor for the purpose of amendment.

BILL SIGNED

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 187, entitled:

An Act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas, and such sales were not confirmed by the court.

Whereupon,

The PRESIDENT (Lieutenant-Governor John C. Bell, Jr.) in the presence of the Senate signed the same.

HOUSE MESSAGE

AMENDMENT TO HOUSE BILL No. 440, RECALLED FROM THE GOVERNOR

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 440, entitled:

An Act to further amend section seven hundred two of the act approved the fifth day of May, one thousand nine hundred thirty-five, (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers, authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

HOUSE BILL No. 440 LAID ON TABLE

Mr. HEYBURN. Mr. President, I move that the bill be laid on the table.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. THOMAS, from the Committee on County Government, reported as committed, House Bill No. 442, entitled:

An Act to further amend section two hundred seventy-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the salaries of certain county detectives in counties of the second class.

Mr. CROWE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 471, entitled:

An Act limiting the time within which suits or actions, hereafter begun, shall be brought for damages to surface land and property resulting from the mining of coal and operations in connection therewith.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 557, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes," by excluding from the provisions thereof personal property held in trust under the terms of a stock bonus, pension, annuity, or profit-sharing or deferred compensation plan, as herein defined, maintained by an employer for the exclusive benefit of his employes or their beneficiaries.

Mr. STIEFEL, from the Committee on Judiciary General, reported as committed, Senate Bill No. 494, entitled:

An Act to amend Article VI of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to throw certain articles upon the land of another and providing penalties.

Mr. JAMES, from the Committee on Judiciary General, reported as committed, House Bill No. 222, entitled:

An Act to amend section one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" changing the pay of jurors.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 558, entitled:

An Act to amend paragraph (1), subsection (a), section three of the act approved the twenty-fifth day of June, one thousand nine hundred thirty-seven (P. L. 2063), entitled "An act providing for the payment into the State Treasury, without escheat, of certain moneys and property subject to escheat under existing law, namely unclaimed dividends and profits, certain debts, and interest on certain debts, proceeds of policies of insurance, stock and customers deposits held by certain limited partnerships and unincorporated associations, joint-stock associations, companies and corporations doing business under the laws of this Commonwealth; declaring the legislative intent with respect to such payments; requiring reports of such money and property by, and imposing other duties upon, such partnerships, associations, and corporations; conferring powers and imposing duties on certain State officers, boards, and departments; providing for jurisdiction of courts, and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue; providing for refunds of such moneys and property; and prescribing penalties," by providing for the report and escheat of certain declared dividends and profits.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 441, entitled:

An Act to amend article forty-three of the act, approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the organizations, associations or boards having charge of police, firemen's and other city employes' pension or retirement funds to enter into contracts with insurance companies whereby such companies undertake to pay any pension, retirement or other allowance which may become due under said article forty-three, to policemen, firemen and other employes; prescribing how the costs of securing and continuing such contracts may be met; providing for certain future adjustments in said contracts in case the Federal Social Security benefits are extended to policemen, firemen and other employes; providing for certain modifications of the rights of policemen, firemen, and other employes relating to pensions or retirement; and authorizing city councils to make certain appropriations.

He also, from the Committee on Insurance, reported as committed, Senate Bill No. 442, entitled:

An Act to amend Section 2 of, and to add Section 8.1 to, the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by reducing "regular interest" to be paid on contributors' accounts from three and one-half per centum to two per centum; authorizing the retirement boards in said counties to enter into contracts with certain insurance companies, whereby such companies will undertake to pay any retirement allowances which may become due under the aforesaid act to original or new members of the county retirement system; prescribing how the payments or premiums due to insurance companies under such contracts shall be met; providing for certain future adjustments in said contracts in case the Federal Social Security System in hereafter extended to include county employes; and providing for certain modifications of the rights of original and new members of county retirement systems in such counties.

Mr. RUTH, from the Committee on Judiciary General, reported as committed, Senate Bill No. 357, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing for exonerations of sewer liens and the discharge of properties covered thereby.

Mr. WOODRING, from the Committee on Corporations, reported as committed, House Bill No. 684, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing the certain officers of dissolved business corporations to execute and deliver deeds conveyances agreements assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution.

BILLS INTRODUCED AND REFERRED

Messrs. COLEMAN, COX and WOODRING read in their places and presented to the Chair, Senate Bill No. 597, entitled:

An Act to add Section 699.7 to the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting the buying or selling of Federal ration stamps, coupons or other indicia or tokens necessary for the purchase of food, clothing, footwear, fuel or other commodities or articles prohibiting the acceptance of such stamps, coupons or other indicia or tokens with knowledge that they have been bought or sold; and providing penalties.

Which was committed to the Committee on Judiciary General.

They also read in their places and presented to the Chair, Senate Bill No. 598, entitled:

An Act to aid the Federal Government in the enforcement of its allocation and rationing program; making it unlawful to sell or buy commodities rationed by Federal authority without receiving or giving the required coupons, stamps, certificates, ration checks or other ration documents, or giving such documents that have been unlawfully obtained; empowering the Governor to designate commodities hereafter rationed to be subject to this act; and prescribing penalties.

Which was committed to the Committee on Judiciary General.

Mr. WOODWARD read in his place and presented to the Chair, Senate Bill No. 599, entitled:

An Act to further amend Article VI of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers, providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" by further defining and changing the budgetary and financial powers and duties of administrative officers, agencies, departments, boards and commissions.

Which was committed to the Committee on State Government.

PERMISSION TO ADDRESS THE SENATE

Mr. COX asked and obtained unanimous consent to address the Senate.

Mr. COX. Mr. President, before introducing this bill which I hold in my hand, I would like to make a few introductory remarks. I propose to present to the Chair a bill to abolish capital punishment in Pennsylvania. My remarks are not an argument in favor of this bill, because the bill is not in controversy yet.

I make my remarks because many bills which I have thought remedial and for the social interest of this Commonwealth still rest in committee, perhaps that is because other members of the committee do not think that they are as remedial as I think they are. Yet I hope today I can introduce into the Legislature a piece of legislation so extremely important that at some later session of the Legislature it will be enacted into law.

At the beginning, very early in the history of our civilization, our method of treating persons who broke laws was to punish them. We got that idea from the Mosaic Code and I am glad to see in Pennsylvania today that, with the exception of capital punishment, we have completely forgotten the idea of punishment as a method for preventing crime in the treatment of people who have broken the laws of our Commonwealth.

I would like to read from a little article by Warden Lewis E. Lawes, a man so well known in the field of penology that his opinion must carry great weight when you consider a matter as important as this.

The article is as follows:

"I am opposed to the death penalty because the evasions, the inequality of its application, the halo with which it surrounds every convicted murderer, the theatrics which are so important to every court proceeding where the stake is life or death, the momentary hysteria, passion and prejudice aroused by the crime which often make it impossible to weigh the facts carefully and impersonally and, finally, the infrequency of its application—all tend to weaken our entire structure of social control. They make for cynicism and disrespect of all law enforcing agencies, and encourage the desperate criminal toward the extreme crime. He knows that his gamble with the death penalty is safer than with a long term in prison for a lesser offense.

"There is an inherent weakness in any system of law and procedure that does not recognize the reticence of citizens and prospective jurors to invoke the penalty provided by the statute.

"Jury panels have been exhausted time and again because of the court's inability to obtain twelve men willing to pass upon the guilt of a defendant accused of murder, because of their opposition to the death penalty."

I might say that in the United States the following states have outlawed the death penalty, the states of Maine, Michigan, Minnesota, North Dakota, Rhode Island, Wisconsin, and Porto Rico.

I have been in the Rockview branch of the Western Penitentiary on the day prior to the electrocution of a murdered confined there. I have had the personal experience of knowing what this does to the inmates in a penitentiary, and I hope that if this bill comes out of committee and comes on the floor of this Senate, that I can tell you at length my practical observations of what this bill means to society.

BILLS INTRODUCED AND REFERRED

Mr. COX read in his place and presented to the Chair, Senate Bill No. 600, entitled:

An Act to amend section seven hundred one of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine, (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," abolishing capital punishment in the case of murder in the first degree.

Which was committed to the Committee on Judiciary General.

Mr. McCREESH read in his place and presented to the Chair, Senate Bill No. 601, entitled:

An Act making an appropriation to the Philadelphia Psychiatric Hospital, Ford Road and Monument Avenue, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. DEITRICK read in his place and presented to the Chair, Senate Bill No. 602, entitled:

An Act making it lawful, during the continuance of the present war, and for six months thereafter, for drug stores and pharmacies to operate, subject to certain conditions and for limited periods, without the necessity for a registered pharmacist or assistant pharmacist in attendance.

Which was committed to the Committee on Public Health.

RESOLUTION

SENATE BILL No. 112, PRINTER'S No. 189, RECALLED FROM THE GOVERNOR

Mr. WOODRING offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 20, 1943.

Resolved (if the House of Representatives concur), That Senate Bill No. 112, Printer's No. 189, entitled "An act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith [perjury] prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act," be recalled from the Governor for amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 20, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate C. C. Meyer, Bakewell Building, Pittsburgh, for reappointment as a Notary Public in and for the City of Pittsburgh, Allegheny County, for the term of four years to compute from April 24, 1943.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Harry M. Matthews, Pitcairn.
Miss Lucille Speers, Jefferson Twp., Large.

CAMBRIA COUNTY

Mrs. Violet Hogue Bent, Westmont.

CUMBERLAND COUNTY

Elmer E. Miller, West Pennsboro Twp., Greason.

DAUPHIN COUNTY

Mrs. Katheryn M. DeLone, Harrisburg.

LAWRENCE COUNTY

Miss Lois L. Southworth, New Castle.

NORTHAMPTON COUNTY

Gilmore S. Richards, Bangor.

PHILADELPHIA COUNTY

Mrs. Mezzy A. Hale, Phila., 7315 Buist Ave.
Miss Lucy C. Jones, Phila., 24 N. 57th St.
Albert L. White, Phila., 2622 Columbia Ave.
Miss Marie Wills, Phila., 1126 Chestnut St.

SCHUYLKILL COUNTY

Nicholas Sukeena, Minersville.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,
Woodring,

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 80, entitled:

An Act to repeal the act approved the twenty-first day of March, one thousand nine hundred twenty-nine, (P. L. 34), entitled "An act authorizing the judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers, typists and clerks to facilitate the business of the courts, and to provide for the payment of their compensation by the county, and validating former employments and payments therefor."

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Wilson, H. I.,
Woodward,

NAYS—14

Barr,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Woodring,

Less than a Constitutional majority of all the Senators having voted "aye" the question was determined in the negative.

(During the calling of the roll the following occurred)

Mr. JONES. Mr. President, I ask that the Senators in voting be notified to take their seats by the Sergeant-at-Arms.

The PRESIDENT. It has been requested that the Senators remain in their seats during the calling of the roll.

Mr. DENT. I submit, Mr. President, there is nothing in order except the announcement of the result of the roll call.

The PRESIDENT. That is correct.

BILL POSTPONED

Mr. HEYBURN. Mr. President, I move that further consideration of Senate Bill No. 361, on final passage entitled:

An Act regulating commercial strip mining; imposing requirements to engage therein, including the planting or sowing of certain lands; giving powers and duties to the Secretary of the Department of Forests and Waters, including issuing permits; providing for appeals to the Court of Common Pleas of Dauphin County; and prescribing penalties

be postponed for the present.

Mr. TALLMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, as I understand it, the plans are made for the final adjournment of the General Assembly on April 29. If this bill is not to be acted upon by the members of the Senate, the thing to do with it is to drop it from the Calendar or send it back to committee, but I do not like to see a bill as important as this one, sponsored in the interest of sanitation and health, reforestration and good government, continually postponed and going over in order, unless you have in mind ironing out some difficulties which arise when legislation is introduced for some one purpose.

This action being taken today, if you are serious about adjourning April 29 means that this bill is going to die and I do not like to see it die on the Calendar. I would rather the merits of the bill be discussed upon the floor of the Senate to see whether or not it is a party measure or whether it is a measure intended for the welfare of the state of Pennsylvania. If this bill goes on the Postponed Calendar and we adjourn finally on April 29, this bill is a dead bill and I do not believe we ought to do that unless we know fully what we are doing.

Mr. President, I would like to interrogate the gentleman from Delaware, Senator Heyburn, the Floor Leader of the Republican Majority.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated.

Mr. HEYBURN. I will, Mr. President.

Mr. DENT. Mr. President, is it the intention of the majority leaders of the Senate and the House to adjourn sine die on April 29?

Mr. HEYBURN. We are pressing for adjournment on April 29.

Mr. DENT. Then, Mr. President, under those circumstances, is not the motion of the gentleman from Delaware tantamount to killing this bill?

Mr. HEYBURN. Mr. President, there has been objection to this bill and that is the reason the Republican Caucus decided it should be placed on the postponed Calendar. Furthermore, one of the sponsors of this bill, Senator Watkins, is not in the Senate Chamber at present.

Mr. DENT. I do not care what the Caucus did, Mr. President; what I am asking the gentleman from Delaware is this, whether this motion would not be the same as killing the bill, if you intend to adjourn on April 29? A bill must as you know, pass the Senate and then be sent to the House for consideration, go to committee, be reported out and then pass the House.

Mr. HEYBURN. Mr. President, a bill can be called from the Postponed Calendar just as easily as it can be reached on the regular Calendar; it takes no particular amount of time to call a bill from the postponed Calendar. It can even be called up today.

Mr. DENT. That is the point I am driving at, Mr. President. Once the Republican Caucus has taken action to place this bill on the postponed Calendar, does that satisfy the Caucus action, and can the bill be called up for consideration by individual members of the Senate, without them being tied by Caucus action? That is the point I am trying to make.

Mr. HEYBURN. I do not quite understand the gentleman from Westmoreland.

Mr. DENT. Mr. President, does the motion of the Majority Floor Leader to place this bill on the postponed Calendar fulfill the desire of the Caucus?

Mr. HEYBURN. That is right.

Mr. DENT. Well then, Mr. President, I take it, after it is on the postponed Calendar for a period of time, the individual members are at liberty to then vote as they see fit if the bill is called up.

Mr. HEYBURN. Mr. President, any member of the Senate can call this bill up from the postponed Calendar.

Mr. DENT. That is all right, Mr. President. I just want to say to you that I intend to call this bill up, but I will wait until the co-sponsor comes in.

Mr. HEYBURN. Does the gentleman mean the Republican sponsor?

Mr. DENT. That is right, Mr. President, my Republican colleague.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 535, entitled:

An Act to further amend section one article eight of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" providing that only persons who are registered holders of certificates of qualification or service shall be employed as mine foremen and assistant mine foremen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one article eight of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" as last amended by the act approved the first day of June one thousand nine hundred and fifteen (P. L. 712) is hereby further amended to read as follows

Section 1 It shall not be lawful neither shall it be permitted for any person to act as mine foreman or assistant mine foreman of any coal-mine or colliery unless they are registered as a holder of a certificate of qualification of service under this act [or unless in the judgment of the employer he is a person possessed of qualifications which make him equally competent to act in such position]

Section 2 This act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barr,
Becker,
Bowers,
Carr,
Chapman,
Cox,
Crider,
Crowe,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—1

Deitrick,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING

BILL POSTPONED

Mr. HEYBURN. Mr. President, I move that further consideration of Senate Bill No. 92, on third reading, entitled:

An Act to authorize cities, boroughs, incorporated towns, townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost, and providing for the reinstatement of the liens of such claims and judgments

be postponed for the present.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 170, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers

Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as last amended by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 781) is hereby further amended to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commissions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant-Governor Secretary of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania [Motor] State Police by the following administrative departments Department of State Department of Justice Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines Department of Highways Department of Health Department of Labor and Industry Department of Welfare Department of Property and Supplies Department of Revenue Department of Public Assistance and Department of Commerce and by the following independent administrative boards and commissions Pennsylvania Game Commission Board of Fish Commissioners State Civil Service Commission and the Pennsylvania Public Utility Commission

All of the provisions of this act which apply generally to administrative departments or generally except to the Department of the Auditor General and the Treasury Department shall apply to the Executive Board and to the Pennsylvania [Motor] State Police

Section 2 Section two hundred five of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2436) is hereby further amended to read as follows

Section 205 Pennsylvania [Motor] State Police The Pennsylvania [Motor] State Police shall consist of a Commissioner a Deputy Commissioner the State police force and the State Highway Patrol as now authorized by law which are hereby consolidated into one force to be known as the [Motor] State Police Force and such chiefs statisticians clerks experts and other assistants as the commissioner with the approval of the Governor shall deem necessary for the work of the force

The Commissioner of the Pennsylvania [Motor] State Police shall receive a salary at the rate of eight thousand dollars per annum

The Deputy Commissioner of the Pennsylvania [Motor] State Police shall be appointed by the Commissioner of Pennsylvania [Motor] State Police with the approval of the Governor and shall receive a salary at the rate of seven thousand five hundred dollars per annum

The [Motor] State Police Force shall consist of such number of officers and men and shall be organized in such manner as the Commissioner of Pennsylvania [Motor] State Police with the approval of the Governor shall from time to time determine Provided however That the number of officers and men shall not exceed in the aggregate at any time one thousand six hundred persons

The members of the [Motor] State Police Force and the chiefs statisticians clerks experts and other assistants engaged in the work of the Pennsylvania [Motor] State Police shall be appointed by the commissioner and shall receive such compensation as shall be fixed by the commissioner with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board

Section 3 Section two hundred seven of said act as last amended by the act approved the sixth day of June one thousand nine hundred thirty-nine (P. L. 250) is hereby further amended to read as follows

Section 207 Appointment The Governor shall nominate and by and with the advice and consent of two-thirds of all the members of the Senate appoint

(a) The Secretary of the Commonwealth the Attorney General the Superintendent of Public Instruction the Adjutant General the Insurance Commissioner the Secretary of Banking the Secretary of Agriculture the Secretary of Forests and Waters the Secretary of Mines the Secretary of Highways the Secretary of Health the Commissioner of the Pennsylvania [Motor] State Police the Secretary of Labor and Industry the Secretary of Welfare the Secretary of Property and Supplies the Secretary of Revenue the Secretary of Public Assistance the Secretary of Commerce and the members of all independent administrative boards and commissions

The Adjutant General may have the rank of Brigadier General of the Adjutant General's Department in the Pennsylvania National Guard or the Governor may designate the ranking line officer of the Pennsylvania National Guard as Adjutant General Provided That should the ranking line officer be also appointed Adjutant General he shall receive only the salary provided by law for the Adjutant General And provided further That should the ranking line officer be called into the service of the United States a Deputy Adjutant General to be designated by the Governor shall act as Adjutant General during his absence No Adjutant General shall be appointed who shall not have served at least fifteen years as a commissioned officer in the Pennsylvania National Guard or equivalent length of service in the Regular Army of the United States

(b) Except as in this act otherwise provided the members of all departmental administrative bodies boards and commissions and the officers who shall fill the departmental administrative offices mentioned in this article

(c) Except as in this act otherwise provided the members of all advisory boards and commissions

Section 4 Sections two hundred eight five hundred seventeen seven hundred ten and seven hundred eleven of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2436) are hereby further amended to read as follows

Section 208 Terms of Office The terms of office of the persons appointed by the Governor under the preceding section shall be as follows

(a) The Secretary of the Commonwealth and the Attorney General shall serve during the pleasure of the Governor

(b) The term of the Superintendent of Public Instruction shall be four years

(c) Except as in this act otherwise provided the heads of other administrative departments the Commissioner of the Pennsylvania [Motor] State Police the members of independent Administrative boards and commissions of departmental administrative boards and commissions and of advisory boards and commissions and departmental administrative officers shall hold office for terms of four years from the third Tuesday of January next following the election of a Governor and until their successors shall have been appointed and qualified Provided That the term of the Commissioner of the Pennsylvania [Motor] State Police appointed prior to the third Tuesday of January one thousand nine hundred and thirty-nine shall expire upon that date or as soon thereafter as his successor shall have been appointed and qualified

Section 517 Administering Oaths The head of every administrative department all deputy heads of administrative departments every member of an independent administrative or departmental administrative board or commission the Commissioner of the Pennsylvania [Motor] State Police every workmen's compensation referee and such officers or employes of the several administrative departments boards or commissions as the heads of such departments or such boards or commissions shall designate shall have the power to administer oaths or affirmations anywhere in this Commonwealth with regard to any matter or thing which may properly come before such department board commission commissioner or referee or any member of a board or commission as the case may be

Section 710 Pennsylvania [Motor] State Police The Pennsylvania [Motor] State Police shall have the power and its duty shall be

(a) Subject to any inconsistent provisions in this act contained to continue to exercise the powers and perform the duties by law vested in and imposed upon the Department of State Police the Pennsylvania State Police [and] the State Highway Patrol and the Pennsylvania Motor Police

(b) To assist the Governor in the administration and enforcement of the laws of the Commonwealth in such manner at such times and in such places as the Governor may from time to time request

(c) With the approval of the Governor to assist any administrative department board or commission of the State Government to enforce the laws applicable or appertaining to such department board or commission or any organization thereof

(d) Whenever possible to cooperate with counties and municipalities in the detection of crime the apprehension of criminals and the preservation of law and order throughout the State

(e) To aid in the enforcement of all laws relating to game fish forests and waters

(f) To collect and classify and keep at all times available complete information useful for the detection of crime and the identification and apprehension of criminals Such information shall be available for all police officers within the Commonwealth under such regulations as the Commissioner of Pennsylvania [Motor] State Police may prescribe

(g) To enforce the laws regulating the use of the highways of this Commonwealth and to assist the Department of Revenue in the collection of motor license fees fees for titling vehicles and tractors operators' license fees and the tax on liquid fuels and the issuance of certificates of title and motor and operators' licenses

Section 711 Commissioner of Pennsylvania [Motor] State Police The Commissioner of Pennsylvania [Motor] State Police shall be the head and executive officer of the Pennsylvania [Motor] State Police He shall provide for the members of the [Motor] State Police Force suitable uniforms arms equipment and where it is deemed necessary horses or motor vehicles and make rules and regulations subject to the approval of the Governor prescribing qualifications prerequisite to or retention of membership in the force for the enlistment training discipline and conduct of the members of the force for the selection and promotion of such members on the basis of merit for the filing and hearing of charges against such members and such other rules and regulations as are deemed necessary for the control and regulation of the [Motor] State Police Force The commissioner shall maintain a training school to be known as the Pennsylvania [Motor] State Police Training School for the proper instruction of members of the [Motor] State Police Force which shall be situated at such place or places as the commissioner with the approval of the Governor May determine It shall also be the duty of the commissioner to establish local headquarters in various places so as best to distribute the force through the various sections of the Commonwealth where they will be most efficient in carrying out the purposes of this or any other act to preserve the peace prevent and detect crime and to police the highways

Section 5 Section seven hundred twelve of said act as last amended by the acts approved the twenty-first day of June one thousand nine hundred thirty-seven (Pamphlet Laws 1865) and the twenty-ninth day of June one thousand nine hundred thirty-seven (Pamphlet Laws 2436) is hereby further amended to read as follows

Section 712 The Pennsylvania [Motor] State Police Force The various members of the Pennsylvania [Motor] State Police are hereby authorized and empowered

(a) To make arrests without warrant for all violations of the law including laws regulating the use of the highways which they may witness and to serve and execute warrants issued by the proper local authorities They shall have all the powers and prerogatives conferred by law upon members of the police force of cities of the first class and upon constables of the Commonwealth

(b) To act as game protectors and as forest fish or fire wardens and for the better performance of such duties

(1) Seize all guns boats decoys traps dogs game fish shooting paraphernalia or hunting or fishing appliances or devices used taken or had in possession contrary to the laws of this State Any article so seized shall be held subject to such disposition as the Commissioner of Fisheries or the Executive Director of the Pennsylvania Game Commission or the Secretary of Forests and Waters may respectively determine

(2) Seize and take possession of all birds animals or fish which have been taken caught or killed or had in possession or under control or which have been shipped or are about to be shipped contrary to any law of this State

(3) Search without warrant any boat conveyance vehicle or receptacle when there is good reason to believe that any law has been violated the enforcement or administration of which is imposed on or vested in the Board of Fish Commissioners or the Pennsylvania Game Commission or in the Department of Forests and Waters

(4) Serve subpoenas issued for any examination investigation or trial had pursuant to any law as aforesaid

(5) Purchase game or fish for the purpose of securing evidence

Section 6 Section two thousand five hundred two of said act as last amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2436) is hereby further amended to read as follows

Section 2502 Vehicle and Tractor Codes In the collection of motor license fees fees for titling vehicles and tractors and operators' license fees and the issuance of certificates of title and motor and operators' licenses the Department of Revenue shall be entitled to such assistance from the Pennsylvania [Motor] State Police as the department may deem necessary

The Secretary of Revenue may designate the person in charge of the work to which this section refers as the Commissioner of Motor Vehicles

Section 7 (a) All books papers maps charts plans records and

Equipment in the possession of the Pennsylvania Motor Police or any officer or member thereof shall upon the effective date of this act be delivered and turnd over to the Pennsylvania State Police

(b) The Commissioner all officers and employes of the Pennsylvania Motor Police on the effective date of this act shall continue to perform their usual duties upon the same terms and conditions as theretofore until removed or appointed to other positions according to law Persons who upon the effective date of this act are connected with the Pennsylvania Motor Police shall retain all retirement rights that shall have accrued or would thereafter accrue to them and their services shall be deemed to have been continuous as if the name of the Pennsylvania Motor Police had not been changed to Pennsylvania State Police

(c) All pending proceedings and all investigations begun by the Pennsylvania Motor Police or any member or officer thereof and not completed upon the effective date of this act shall continue and remain in full force as if the name of the Pennsylvania Motor Police had not been changed to Pennsylvania State Police and may be completed by the Pennsylvania State Police

(d) Whenever the term "Pennsylvania Motor Police" or "State Police" or "State Highway Patrol" or "Highway Patrol" occurs in any law or whenever in any law reference is made to the same such term or reference shall be deemed to refer to and include the Pennsylvania State Police whose name is changed by this act from Pennsylvania Motor Police so far as such law pertains to such matters as are within the jurisdiction of such body

Section 8 All acts and parts of acts inconsistent with this act are hereby repealed

Section 9 This act shall become effective on the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill on third reading?

Mr. JONES. Mr. President, I respectfully ask that the roll be called and that each member vote separately.

The PRESIDENT. The request of the gentleman from Luzerne will be granted. The Senators will take their seats during the calling of the roll.

And the question recurring,

Will the Senate agree to the bill on third reading?

The yeas and nays were required by Mr. JONES and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman
Coleman,
Cox,
Crider,
Crowe,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh
McGinn
McQuidd
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

So the question was determined in the affirmative.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 176, entitled:

An Act to amend an act approved the twenty-eighth day of July one thousand nine hundred and forty-one (P. L. 541) entitled "An act authorizing county commissioners to sell seated and unseated lands purchased at tax sales upon which the period of redemption has expired and validating certain sales heretofore made" extending the time within which sales may be made

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the twenty-eighth day of July one thousand nine hundred and forty-one (P. L. 541) entitled "An act authorizing county commissioners to sell seated and unseated lands purchased at tax sales upon which the period of redemption has expired and validating certain sales heretofore made" is hereby amended to read as follows

Section 1 The county commissioners of each county are hereby authorized [within one year from the effective date of this act] to sell at public or private sale in the manner provided by law for the best price obtainable all seated and unseated lands heretofore purchased by them at tax sales and upon which the period of redemption provided by law has expired

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. JONES. I ask for a roll call Mr. President.

The yeas and nays were required by Mr. JONES and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

PRESENT—1

Shapiro,

So the question was determined in the affirmative.

Mr. JAMES. Mr. President, may I inquire as to how the Senator from Luzerne, Mr. Jones, voted?

The PRESIDENT. The gentleman from Luzerne, Mr. Jones, is not recorded as having voted. The Clerk did not hear him vote.

On the question,

Shall the bill pass finally?

Mr. HENRY I. WILSON. Mr. President, we have just voted to approve this bill on third reading and we are now about to vote upon it upon final passage. Before this is done I wish to call to the attention of the Senate the fact that I am afraid the sponsor of this bill and those who are behind it do not really approach the question with a full knowledge of the situation, and because of the importance of the matter, and because of other pending legislation upon the same subject, and because of the various ideas that have been advanced on the matter of taxation, at the risk of boring the Senate, I particularly call the attention of those who are interested in taxation to some of the things that we ought to consider at this time.

Mr. President, Senate Bill No. 176, sponsored by the Senator from Lackawanna, Mr. Coleman, provides that there shall be an amendment to the Act of 1941, known as No. 221, which was approved the 28th day of July A. D. 1941.

Taking the Act of 1941 as a starting place, it is proposed by Senate Bill No. 176 to amend the Act of 1941 by writing a new section No. 1, and so that it may be intelligently considered I want to read to you what section No. 1 provides in the Act of 1941.

Section No. 1 of the Act of 1941 reads as follows: "Section 1. The County Commissioners of each county are hereby authorized within one year from the effective date of this Act to sell at public or private sale in the manner provided by law for the best price obtainable all seated and unseated lands heretofore purchased by them at tax sales and upon which the period of redemption provided by law has expired."

With that section before you as provided in the Act of 1941, the balance of the Act does not appear here unless we bring it before you. The Act of 1941 had four sections, Sections 2, 3 and 4 have not been explained and are not being considered here unless we bring it up in this manner.

Now then, going back to section 1 of the bill that is being considered here, if this bill is passed, section 1 as it will appear in the amended bill will read like this:

"Section 1. The County Commissioners of each county are hereby authorized" and then they strike out the words "within one year from the effective date of this act," which of course, leaves it open for any time after the adoption of the bill.

Now, taking it up from there it reads: ". . . to sell at public or private sale in the manner provided by law for the best price obtainable all seated and unseated lands for purchase by them at tax sales and upon which the period of redemption provided by law has expired."

Section 2 of this proposed bill says: "The provisions of this Act shall become effective immediately upon its final enactment."

What I want you to consider is this, Mr. President, that section 2 of the 1941 Act says this: "Section 2. All sales of any such lands heretofore made by any county commissioners shall be valid and binding on the county, and all deeds and conveyances given by the county for any such lands are hereby ratified, confirmed and validated, and the purchasers thereof and their respective heirs, sucessors and assigns shall hold and may convey such titles and estates indefeasibly as to any rights of the county therein, notwithstanding the fact that the time within which such sales were by law required to be made had expired when such sales were made."

I must call your attention to section 3, and this is what I am afraid people have not considered—Section 3 reads as follows:

"Section 3. The provisions of section seventeen of the act, approved the twenty-ninth day of May, 1931, (Pamphlet Laws, two hundred eighty) entitled 'An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances' as amended, is hereby repealed in so far as the same is inconsistent with the provisions of this act.

"All other acts and parts of acts inconsistent herewith are hereby repealed.

"Section 4. The provisions of this act shall become effective immediately upon final enactment."

This bill proposes in its new Section 1 that you may sell at public or private sale in the manner provided by law. I submit that you can not, in the manner provided by law, make a public sale because section 17 of the Act of 1931 is repealed by the Act of 1941 in its original form and in its amended form and section 17 of the Act of 1931 is the Act that relates to public sales.

Now, here you are going to say that you can go on any time hereafter and make these sales of lands either publicly or privately but in accordance with the provisions of the existing law, and you have no law on public sales.

I want to make you an explanation. That was the thing that worried me and I introduced a bill known as Senate Bill No. 100 and finally it went through this Senate without a dissenting voice, in the last analysis, but it is being held up in the House with other propositions, and I am afraid that those who are holding it up have not considered the fact that by the Act of 1941, section 17 of the Act of 1931 has been repealed and therefore it becomes necessary, in order to go on record, because I think they are going to bungle, taxation measures, the same as they have since 1933, I am going to put on record what ought to be done and what I have tried to get the Senate and the House to understand.

The Act of May 29, 1931, (P. L. 280) was an Act providing for the return of seated lands for non-payment of taxes and for the certifying of the same, to the county treasurer, who was authorized to sell said lands at certain times, and also provided that where there was no bid equal to the taxes the county commissioners must purchase the same.

Section 17 of the said Act provided the method to be used by the county commissioners in selling ceded lands at public sale—remember that—after the period of redemption had expired. There you have a provision in 1931 that the Act of 1931 takes care of public sales and you do it by section No. 17.

The Act of May 25, 1933 (P. L. 1019), gave the commissioners authority to sell county lands at private sale—the Act of 1933, then, is a private sales Act. Why? By establishing a procedure which differed from the procedure to sell land at public sale. Get this: by the Act of 1931, there is a certain procedure and that is public sale. By the Act of 1933, there is a certain procedure relating to private sales.

Now, then, Mr. President, the Act of June 20, 1939 (P. L. 498), amended section 17 of the Act of 1931, by providing that county commissioners should sell county lands for which the period of redemption had expired within six months. The Act of 1939 provided that you should sell those lands that were to be sold at public sale within six months from the time of the passage of the Act of 1939.

Under said amendment they could either sell at private sale under the provisions of the Act of 1933, or at public sale under the Act of 1931.

The Act of July 28, 1941 (P. L. 541), which I have just referred to here a few minutes ago, a new Act not even indexed under Taxation, provided that the commissioners should sell at either public or private sale in the manner provided by law all seated and unseated land purchased by them at tax sales within one year from the date of the

Act and it specifically repealed Section 17 of the Act of 1931, as amended by the Act of 1939.

Now then, what do I try to do by Senate Bill No. 100? I am trying to re-enact this 1931 Act in so far as Section 17 is concerned. Until we get that Act passed in the House and signed by the Governor, you can not carry out the plans of this proposed bill here, of which I am in favor and for which I am going to vote—you can not carry it out. Why? Because this only amends the Act of 1941 and says, in the manner provided by law and they are depending that "in the manner provided by law" will be taken care of by Section 17 of the Act of 1931.

Section 17 has been repealed and does not exist and until it has been re-enacted, either by the proposed bill which I have introduced, Senate Bill No. 100, or some other bill to the same effect, you can not really carry out a bill like Senate Bill No. 176.

I hope that I am not boring the Senate, because this is an important matter and a good many newspapers think that the proposed bill No. 100 will take something from them. I want to tell you something further. We had a hearing on Senate Bill No. 100 and only two or three members of the committee could be present, because it was delayed, caucuses were going on and the Senate then became interested in other general affairs and did not attend the meeting, at which we presented these facts, and this is the first time the Senate has had the information giving reasons why Senate Bill No. 100 should be enacted.

Mr. President, I want to tell you something else. At that hearing it was stated by some of us to what it meant to have this corrective bill No. 100 go through.

For instance, the Erie city solicitors say they had 450,000 properties to advertise alone and to advertise them alone it will cost them $18,000 and they have already advertised but by reason of the fact that there was bungling in 1941, and they really did away with the Act of 1931, sales might not be legal and, therefore, we have a proposal under Senate Bill No. 100 which is this; where any such public sale has been advertised under the provisions of this section prior to this amendment, and such sale not having been held, readvertisement of such sale need not be advertised three consecutive weeks nor include a list and description of the lands to be sold, but need only be advertised by one insertion in one or two newspapers as aforesaid at least thirty days prior to the sale and include the purpose, time and place and the terms of such sale with a reference to the prior advertisement.

Newspapers in this state will not be harmed. They have already had their money for these advertisements and the city of Erie will save and has already paid for it about $18,000.

The county of Jefferson has 1,700 properties affected by this, which have been advertised and not sold for want of time and for fear the titles would not be good.

I hope that the Senators in voting for this bill will see that it is amended in the House in some way, to take care of that Section 17 of the Act of 1931.

I call this to your attention and ask you to use your influence to get Senate Bill No. 100 out, so that this Senate Bill No. 176 will be, so far as public sales are concerned, the authority. Senate Bill No. 100, as introduced by me, is a proper bill. I thank you.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker.
Bowers,
Carr,
Chapman
Coleman.
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Kephart,
Letzler.
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B,
Woodring,
Woodward,

NAYS—1

Jones,

PRESENT—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 209, entitled:

An Act to further amend section eleven (b) of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating the requirements for license as an osteopathic surgeon

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eleven (b) of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as added to said act by the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 795) and as last amended by the act approved the fifth day of June one thousand nine hundred thirty-seven (P. L. 1649) is hereby further amended to read as follows

Section 11 (b) Any person licensed to practice osteopathy in this State and desiring to enter upon the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy may deliver to the Superintendent of Public Instruction upon the payment of a fee of one hundred dollars or such fee as shall be fixed by the Superintendent of Public Instruction a written application for license together with satisfactory proof in such form as may be required by the Osteopathic Surgeons' Examining Board that the applicant has served for a period of not less than two years as an interne [or assistant surgeon] in [an] any approved osteopathic hospital which shall have at least ten beds per interne devoted to the treatment of diseases shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital and shall maintain a department of [anaesthetists] anaesthesia consisting of one or more anaesthetists who shall have supervision over all the anaesthesia given in the institution and whose duty it shall be to instruct all internes in the administration of anaesthetics After the first day of July one thousand nine hundred and forty-one all applicants shall in addition to the requirements hereinabove set forth have sucessfully completed one year of surgical training in some legally incorporated reputable osteopathic college or osteopathic hospital or special courses or training equivalent thereto as determined by the Osteopathic Surgeons' Examining Board [or] In lieu of [such qualifications the applicant may submit proof as hereinbefore required] the three-year requirement hereinabove set forth the applicant may submit proof that he has served for a period of not less than five years as [an interne or] assistant to a surgeon [in any] and in a hospital approved by the Osteopathic Surgeon's Examining Board for such training [which shall meet the requirements hereinbefore set forth] [All applicants while serving as interne or assistant surgeon shall be registered with both the State Board of Osteopathic Examiners and the Osteopathic Surgeons' Examining Board] The Osteopathic Surgeons' Examining Board shall examine and fix the rating of all osteopathic colleges and hospitals [for graduate students and provide interne positions as hereinbefore provided for this inspection and rating] either chartered under the laws of this Commonwealth or operating therein as [it] relates to surgery only It shall further be the duty of the board by inspection or otherwise to examine and fix the rating of all colleges and hospitals outside this Commonwealth providing osteopathic surgical training under the laws of any particular state whose graduates or internes desire to obtain licensure as osteopathic surgeons in this Commonwealth but the standards for the approval of osteopathic hospitals in this Commonwealth shall be required in fixing any such rating The same standard for graduates in medicine shall be used for examination by the Osteopathic Surgeons' Examining Board in the examination of the osteopathic graduates for licenses to practice surgery Provided That any person duly licensed as an osteopath who has had at least five years of actual practice as a surgeon may be examined by the board without being required to prove that he has had two years' experience as an interne or assistant surgeon in a hospital as hereinbefore provided

Thereupon the Osteopathic Surgeons' Examining Board if satisfied with said proof shall admit said applicant to examination as to his or her qualifications for the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy Such examination shall include the subjects of surgical diagnosis and operative surgery and such other subjects as the said board may deem necessary to test the qualifications of the applicants The Osteopathic Surgeons' Examining Board shall cause the Department of Public Instruction to issue forthwith to each applicant who shall have obtained a general average of not less than seventy-five per centum and who shall have been adjudged by the said board of examiners to be duly qualified for the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy a license to practice such operative surgery in the State of Pennsylvania Such license shall be issued and recorded in the same manner as licenses to practice osteopathy are now issued by the State Board of Osteopathic Examiners under the provisions of this act Provided however That no such license shall be issued if any objection thereto is filed by the State Board of Osteopathic Examiners

Every license issued by said board to practice surgery shall authorize the holder thereof to practice major or operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy and the use of anaesthetics antiseptics narcotics and germicides when used for the purposes in the manner and to the extent only as taught and practiced under surgical procedure in the legally incorporated reputable colleges of osteopathy shall not be considered the practice of medicine or in violation of any of the laws relating to the practice of medicine or regulating public health

Any osteopathic physician who has been practicing operative surgery for a period of not less than seven years prior to the passage of this act shall not be required to take the examination required by this section and shall be eligible to appointment as a member of the Osteopathic Surgeons' Examining Board

Applicants examined and licensed by the osteopathic surgeons' examiners of any other state where such examiners exist separate from the osteopathic physicians' examiners on the payment of a fee of two hundred dollars ($200.00) and the filing with the Osteopathic Surgeons' Examining Board of this Commonwealth a copy of such license certified by the president or secretary of the examiners of such other state showing that the standard of requirements adopted by such examiners is substantially the same as is provided by this act shall without further examination receive a license conferring on the holder thereof the right to practice operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy

Every person now or hereafter licensed under the provisions of this act to practice operative surgery shall register as such practitioners with the Osteopathic Surgeons' Examining Board on or before the first day of January one thousand nine hundred and thirty-eight and annually thereafter on or before the first day of January of each succeeding year The form for such registration shall be prescribed and furnished by the board The annual registration fee shall be ten dollars ($10.00) or such other sum as shall be fixed by the Department of Public Instruction under authority of law The fee shall in all cases accompany the application for such registration

Section 2 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 304, on third reading, entitled:

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 332, entitled:

An Act to amend section one thousand two hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the refund of certain moneys erroneously paid into the State Treasury for hunting license fees by former county treasurers

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand two hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1212 Return of Fees Fines or other Moneys Erroneously Paid into Treasury Whenever the commission is satisfied that any fee fine or any other moneys paid into the State Treasury under any of the provisions of this act or any act superseded by it were erroneously collected and deposited the commission within twelve months after such deposit may by resolution authorize the director to draw a requisition upon the Game Fund for the amount involved Upon receipt of such requisition and an extract of the minutes of the commission the Auditor General shall draw his warrant upon the State Treasurer in favor of the person from whom such fee fine or other money was erroneously collected

The twelve month limitation period hereinbefore prescribed shall not apply to moneys erroneously paid into the State Treasury for hunting license fees by former county treasurers subsequent to the thirty-first day of December one thousand nine hundred thirty-four if the return of such fees was requested of the Commonwealth within six months after their payment into the State Treasury

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. JONES. I requested that the constitutional provision be invoked, that the bill be read at length and a vote taken.

The PRESIDENT. The bill has been read at length.

Mr. JONES. I request a roll call, Mr. President.

The PRESIDENT. For the information of the Senator from Luzerne, Mr. Jones, this bill is now on third reading. Does the Senator from Luzerne desire a roll call on third reading?

Mr. JONES. I desire a roll call, Mr. President.

And the question recurring,

Will the Senate agree to the bill?

The yeas and nays were required by Mr. JONES and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Chapman
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—1

Shapiro,

So the question was determined in the affirmative.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

(During the calling of the roll the following occurred:)

Mr. JONES. Mr. President, I desire to know how the Senator from Luzerne, Senator Jones, is recorded as voting. I voted "aye."

The PRESIDENT. You are so recorded.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 354, entitled:

An Act to further amend clause (d) of section four of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" empowering the General State Authority to sell and convey projects and property to the Commonwealth and to sell and convey the Butler Tuberculosis Sanatorium to the United States or any Federal agency

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (d) of section four of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" as last amended by the act approved the second day of July one thousand nine hundred and forty-one (P. L. 215) is hereby further amended to read as follows

Section 4 Purposes and Powers General The Authority is created for the purpose of constructing improving equipping furnishing maintaining and operating sewers sewer systems and sewage treatment works for State institutions of every kind and character (heretofore or hereafter constructed) public buildings for the use of the Commonwealth an official residence in the city of Harrisburg which shall thereafter be used as the official residence of the Governor of the Commonwealth State arsenals armories and military reserves State airports and landing fields State institutions of every kind and character (heretofore or hereafter constructed) additions and improvements to land grant colleges school buildings and the furnishings and equipment thereof for the use of the public schools county courthouses State highways and bridges tunnels and traffic circles on State highways swimming pools and lakes on State land and low head dams and improvements to river embankments (any and all the foregoing being herein called "projects") Provided however That the purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted hereby (other than for the construction improvement and maintenance of bridges) shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes and the Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

* * * * *

(d) To acquire purchase hold lease as lessee and use any property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and (without limitation of the foregoing) to lease from the department or from any school district or any county any property real personal or mixed or any interest therein now owned or hereafter acquired by the Commonwealth of Pennsylvania with the approval of the Governor or now owned or hereafter acquired by such school district or county for a term not exceeding ninety-nine years at a nominal rental or at such annual rental as may be determined and with the approval of the Governor to lease as lessor to the Commonwealth of Pennsylvania and any city county school district or other political subdivision or any agency department or public body of the Commonwealth or land grant college any project at any time constructed by the Authority and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority and with the approval of the Governor to sell transfer and convey to the Commonwealth of Pennsylvania any project at any time constructed by the Authority and any property real personal or mixed tangible or intangible or any interest therein at any time acquired by the Authority and with the approval of the Governor to sell transfer and convey to the United States of America or any Federal agency the Butler Tuberculosis Sanatorium

Section 2 The provision of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. JONES. Mr. President, I request that the roll be called.

The PRESIDENT. Previously the gentleman from Luzerne, Senator Jones, stated that he was entitled to have the roll called and mentioned the fact that the Constitution required it.

Mr. JONES. Mr. President, I say that the Constitution requires the reading of all bills three times at length.

The PRESIDENT. That is correct. However, there is no provision, is there, in the Constitution that the roll be called excepting on final passage?

Mr. JONES. The Constitution requires that bills be read at length three times and I request that that constitutional provision be complied with.

The PRESIDENT. The Chair was inquiring about the request of the Senator from Luzerne for a roll call. The Chair understood that the gentleman from Luzerne, Senator Jones, stated that the Constitution required a roll call on third reading.

Mr. JONES. I ask that a roll call be had.

The PRESIDENT. The request of the gentleman from Luzerne will be granted. The clerk will call the roll.

The yeas and nays were required by Mr. JONES and were as follows, viz:

YEAS—27

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
James,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—17

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
Jones,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Stiefel,
Woodring,

So the question was determined in the affirmative.

On the question,

Shall the bill pass finally?

Mr. BARR. Mr. President, I desire to interrogate the sponsor of the bill, the gentleman from Somerset, Senator Ealy.

The PRESIDENT. Will the gentleman from Somerset permit himself to be interrogated?

Mr. EALY. I will, Mr. President.

Mr. BARR. Will the gentleman from Somerset tell me whether the General State Authority is at this time receiving an amount of money from the Federal Government for the use of the Butler Sanitarium.

Mr. EALY. If I understood the question, Mr. President, it was the amount of money that was spent in the construction of this building?

Mr. BARR. The Butler Sanitarium is at this time leased to the Federal Government, is it not?

Mr. EALY. I did not understand the question.

Mr. BARR. At the present time, is the Butler Sanitarium leased to the Federal Government.

Mr. EALY. That is right.

Mr. BARR. Can the gentleman from Somerset tell me the amount of money the Federal Government is paying the General State Authority each year as rental.

Mr. EALY. I am not sure. The purpose of this bill, I might explain, is this: the Federal Government has leased this building for a hospital and they have a tentative agreement with the General State Authority as to the purchase of the building, should the Federal Government desire it. It is felt that under the General State Authority Act that this power was not given to the General State Authority and this bill is intended to make sure that there is such authority.

Mr. BARR. Senator Ealy, if this bill is passed, in all probability the Butler Sanitarium will be sold to the Federal Government; is that not correct?

Mr. EALY. Not necessarily so.

Mr. BARR. But under this Act it is possible.

Mr. EALY. It is possible, yes.

Mr. BARR. Mr. President, we are more than willing to lease the Butler Sanitarium to the Federal Government for the duration of the war anytime they may need it, but does not the gentleman think that we have a need for a tuberculosis hospital in western Pennsylvania.

Mr. EALY. I do not want to go into that subject. I think it has been demonstrated that there are other buildings which would be sufficient. There are different theories as to the way to treat this disease, whether patients should be treated in a single building or whether it should be done in clusters of buildings, and members of the medical profession, as I understand, are changing their ideas about the method for treating this disease.

However, for the present the Federal Government has leased the buliding and has made a great many changes there, so that it would be difficult to change it back again to a tuberculosis hospital without a great deal of expense, as I understand

Mr. BARR. For the information of the Senator from Somerset, the lease between the Federal Government and the State Authority provides that the Federal Government shall put the hospital back in its original condition.

Mr. President, I happen to be in a position to know that in Allegheny County and in that particular end of the state, there is a need for a tuberculosis hospital. We have in the city of Pittsburgh the Tuberculosis League Hospital which receives an appropriation from the state of Pennsylvania and it is a very fine hospital, but it is inadequate for the needs. We also have a city hospital known as the Leech Farm and it also has a terrific waiting list.

I do not think that when the General State Authority went to the trouble of building a hospital in the western part of Pennsylvania for tuberculosis patients that we should here in the Senate—vote to take that hospital away from the people of Western Pennsylvania. Therefore, I am going to ask the Senators from at least the Western part of Pennsylvania to vote "no" on this bill.

Mr. WALKER. Mr. President, I just want to say that in 1939, when we came into the Senate, as I remember the situation, there elapsed a considerable period between the time we would make application to get some constituent admitted to a tuberculosis hospital and the period in which the patient would be admitted.

At the present time, I have been having this experience, that within a week or ten days from the time of making application to get a person admitted they have been hospitalized, and that has not been in isolated cases, it has been recurring frequently in cases which have been brought to my attention. I am deply interested in the suggestion made by the gentleman from Allegheny, Senator Barr, that there is a waiting list, because I was definitely under the impression, with our present tuberculosis facilities, that hospitalization is now being expedited very rapidly, and I think that before a bill of the character submitted by the gentleman from Somerset is voted for or against, on the theory of a waiting list for hospitalization for tuberculosis patients, we should check into the situation.

Mr. BARR. Maybe I belong to the wrong political party.

Mr. WALKER. I have been telling him that, Mr. President, but he will not listen to me.

Mr. BARR. Mr. President, my point is this, that for a person who is the victim of tuberculosis, one of the cures is visiting, to keep such person in good mental condition, and if you take a person from the western part of the state and send him up to the northeastern part of the state, he can not receive those visits that are so necessary in the cure of the disease of tuberculosis.

Mr. EALY. I just want to say with regard to the matter of using this hospital for federal patients, that it is expected, after this war is over or even during the war, that a great many of our boys who have been injured will be brought home from Africa and from the East Indies, and hospitals are needed here in Pennsylvania for those troops. The Butler Sanitarium is one that the Federal Government urgently needs and has asked us to transfer this hospital to it temporarily with the thought of purchasing it finally. If the Federal Government does not want it, of course, it will be turned back to us.

Mr. SHAPIRO. Mr. President, I would hate to see this hospital go to the Federal Government. This does not in any way affect the question of whether the General State Authority should continue or not, but I recall now that last week when our committee was conferring with the Governor, he suggested that tuberculosis in Pennsylvania can be licked in the next ten years. The members of the medical profession in this Chamber will realize that in order to do that it will require institutions, in fact it will require more institutions than we presently have.

One of the basic reasons for the construction of the Butler Sanitarium, as I recall it, was that there were no similar institutions located in that section of the Commonwealth. It was said that the people in that neighborhood were entitled to have a hospital where they could visit their relatives without traveling miles through the Commonwealth of Pennsylvania to see those who are unfortunate enough to be confined in these institutions. This hospital was built purposely for surgical and medical treatments. If we are going ahead with our program for eradicating tuberculosis, we must remember, first, that now tuberculosis is on the increase. Every congested area in the Commonwealth in Pennsylvania has been made aware of that fact. We know it in Philadelphia, downtown in our institutions, from the number of patients that come to the clinic for examinations for other than tuberculosis, and when we take x-ray pictures, as we require in each case, and we find evidence of tuberculosis in those cases, then we immediately go to the family to take further pictures to see how far the disease has been communicated to the family. Those are all essential elements in the eradication of this disease.

This institution is a necessary institution. If the Federal Government needs hospitals, it can afford to build hospitals wherever it needs them. It took us years to get this hospital and it will take years to get another one.

I have no objection if the Federal Government can use it during the war, if after the war we can get it back and put it to a use that we will absolutely have for this institution, not only in Western Pennsylvania but in every congested area where, as a result of war work, there has been an increase in tuberculosis.

These are not my statements. These are facts reported in the medical journals and by people connected with the hospitals, and facts that people who are connected with hospitals know as a matter of experience, and it sems to me that this is a bad time to dispose of this hospital.

Mr. DENT. Mr. President, I believe this would be a poor business proposition. As I understand it the Butler Sanitarium cost about $2,250,000 to build and we are now receiving from the Federal Government $160,000 a year. There is no question but that the war itself and the post-war period will last at least ten years. If the Federal Government uses that hospital for ten years that would mean rental payments to the Commonwealth of $1,600,000 which would be paid against the original cost of $2,250,000. In other words, gentlemen, we will receive for Pennsylvania one of the best hospitals in the state, which is sorely needed, for about $650,000.

Looking after the interests of the taxpayers of Pennsylvania, I believe it would be a poor business proposition to dispose of this hospital at this time.

Mr. WADE. Mr. President and members of the Senate, we are now talking about what is known as the Butler Sanitarium, which was built during the Earle Administration, or at least the money was appropriated and received from the Federal Government to build it. I maintain this position, that it was ill-advised when it was placed on ground lying northwest of the city of Butler, where the elevation is between fourteen and fifteen hundred feet, when all of the other sanatoria of Pennsylvania are on much higher ground.

It has been established by the medical profession of the state of Pennsylvania that institutions for the treatment of those suffering from tuberculosis should be on high elevations, but that is not the argument that is being brought to this Senate. I ask my colleagues who are talking against this measure, where is our obligation today? Is our obligation to those people—and I have every sympathy for those who are suffering from tuberculosis—or is our real obligation to the boys and girls who are going out all over the world to fight the real battle of America? Are the boys and the girls who are doing that deserving of more immediate consideration or are these folks who are suffering from tuberculosis and who are being hospitalized in Pennsylvania today because we do not have the over-crowded conditions that existed just a few years back.

I say to you gentlemen of the Senate, that this is a war measure, this is a real war measure. We should turn over every facility of the state of Pennsylvania and make it of service to the Federal Government in this period of stress. It is much more important that we win the real battle of America first. Are these people better off to have their homes taken away or to suffer inconvenience from lack of immediate hospitalization?

I say to you, members of the Senate, particularly on the other side, you are simply against this bill because it is sponsored by a Republican, because really it belongs to the Federal Government now and every facility, I repeat, and everything we own in Pennsylvania should be laid at the disposal of the Federal Government in order to hospitalize those boys and girls when they come home.

Mr. COX. Mr. President, I think that this matter is of sufficient importance that we should approach it on the basis of facts and as dispassionately as possible. I resent the constant recurrence of the sentiment which is attached to every bill that comes on the floor of this Senate, that if the bill does not pass, the war is going to be lost. There is not a man in this Legislature that does not share with Senator Wade the desire to do everything that can possibly be done for the boys who are in Europe today, and for the boys who eventually will have to be hospitalized.

We know this, however, that at the present time the state of Pennsylvania has leased to the Federal Government for the purpose of hospitalization this hospital, and there is no reason to believe that the authorities in Pennsylvania will not continue to lease that hospital for that specific purpose.

Tuberculosis was once known as the great white plague. It ravished the country and it was only due to the fact that medical science realized the importance of isolation of people who were carriers of tuberculosis that we were able to relegate that disease medically to the position today that it is not the great threat to society that it once was.

We must understand that in times of great industry, of great employment, that there are many occupational diseases which people have, which ordinarily they would not have. We know in industry today that there is a silicosis, which is growing, and as a result of that silicosis, we are going to find many more diseases which affect the lungs.

The building of the sanitarium at Butler was not undertaken without due deliberation. The General State Authority built many fine institutions all over the state of

Pennsylvania. It is true that since that institution was built there has been great conflict throughout the state as to whether or not the institution had to be used presently, and evidently the persons who have control of the administration of this state have determined that at the present time it is not needed for that specific purpose, but we do know that there will come a time when that hospital will have to be used, and I personally hope that the Commonwealth of Pennsylvania is not going to cede to the Federal Government this hospital which has been built at great expense to the Commonwealth, when in the future there will be a need for it.

If it were a situation where it were a choice as to whether or not we were going to permit the use of this hospital for the purposes indicated by Senator Wade, that might be a question of a different matter, but at the present time our state government has leased the hospital and certainly may continue to lease the hospital as long as it is needed.

The Senator drew a distinction between these people who are ravished by this dread lung disease and the boys fighting our battle, and I think that in the heat of debate he made statements perhaps that he did not intend to make, because I do not think that Senator Wade, a gentlemon who certainly is familiar with the question of health, because of the type of business he is in, would have suggested to this Senate that we should relax for one minute our vigilance in attempting to stamp out tuberculosis.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy.
Farrell,
Geltz,
Heyburn.
James,
Kephart,
Letzler,
Mallery.
Scarlett,
Snowden.
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—17

Barr,
Coleman,
Cox,
Dent.
DiSilvestro.
Gourley,
Haluska,
Holland,
Jaspan,
Jones,
McCreesh,
McGinnis,
McQuiddy.
Ruth,
Shapiro,
Stiefel.
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 365, on third reading, entitled:

An Act to further amend clauses (d) and (e) of section four hundred four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by further changing provisions relating to the investment of the capital and reserve of mutual and stock life insurance companies organized under the laws of this Commonwealth

be recommitted to the Committee on Insurance.

Mr. WADE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 377, entitled:

An Act abolishing the State Forests and Waters Fund in the State Treasury providing for the payment of the moneys therein and all future moneys heretofore payable into such special fund into the General Fund making the same available for all lawful expenditures and making certain repeals

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 All moneys by law now payable into the State Forests and Waters Fund in the State Treasury shall be continued to be collectible in the manner now provided by law but shall henceforth be payable into the General Fund of the State Treasury The State Forests and Waters Fund is hereby abolished and all moneys unexpended and remaining in said fund shall be transferred by the State Treasurer into the General Fund in the State Treasury and shall become available for general use Any obligations incurred prior to the effective date of this act which were payable out of the State Forests and Waters Fund and which remain unpaid on said date shall be paid out of the biennial appropriations made out of the General Fund to the Department of Forests and Waters for the two fiscal years beginning June 1 1943 for similar purposes

Section 2 The following acts or parts of acts are hereby repealed absolutely

Paragraph 20 of Section 302 of the Act of April 9 1929 (P. L. 343) known as "The Fiscal Code" which was added thereto by the amendatory act approved the eleventh day of June one thousand nine hundred and thirty-five (P. L. 363)

The act approved the ninth day of June one thousand nine hundred and thirty-five (P. L. 639) entitled "An act appropriating the moneys in the State Forests and Waters Fund"

The act approved the sixteenth day of March one thousand nine hundred and thirty-seven (P. L. 97) entitled "An act to amend section one of the act approved the ninth day of July one thousand nine hundred and thirty-five (P. L. 639) entitled 'An act appropriating the moneys in the State Forests and Waters Fund' regulating payments from said fund to the Government of the United States"

Section 3 This act shall become effective on the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. JONES. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. JONES and were as follows, viz:

YEAS—27

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
James,
Kephart,
Letzler,
Mallery.
Scarlett,
Shapiro,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Watkins,
Wilson, H. I.,
Wilson. T. B.,
Woodward

NAYS—17

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
Jones,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Stiefel,
Walker,
Woodring,

So the question was determined in the negative.

On the question,

Shall the bill pass finally?

Mr. WOODWARD. In the good old days when there were no Democrats here and there was no Democratic Caucus, I would not have to stand up here and say anything, but this bill has not a shred of a partisan issue in it, it is a scientific procedure, and I would like to challenge any New Deal Democrat to explain why he would vote against this bill.

Mr. DENT. I accept the challenge, and on the basis of my being on one leg today and the gentleman from Philadelphia being rather old, I think we are on rather equal terms.

The bill, as I see it, takes the special funds of the Department of Forests and Waters and puts them into the general fund. Maybe I am in error. However, I would like to interrogate the gentleman from Philadelphia, Senator Woodward, before I cast my vote.

Senator WOODWARD. I would be glad to hear from my contemporary, Senator Dent.

Mr. DENT. As I understand it, the special funds in the Department of Forests and Waters are funds that were created by special licenses for special privileges in the state; does this wipe that fund out?

Mr. WOODWARD. Yes. This is one of the few remaining special funds that ought to be wiped out.

Mr. DENT. Thank you very much. Mr. President, the question of whether or not they ought to be wiped out, of course, is a matter of opinion. The fisherman and hunters of this state, as I understand it, pay license fees and they do so on the same premise that motorists pay into the motor license fund. Does this bill wipe out the special fund in the Fish and Game Commission, which is under the Department of Forests and Waters? That is all I want to know.

Mr. WOODWARD. Oh no, Mr. President.

Mr. DENT. That is all I want to know. I thought my question was understood. Then what special fund is it?

Mr. WOODWARD. Mr. President, a committee approved this special fund on the ground that the Department of Forests and Waters plant trees and then they wait about forty years to harvest the crop—that was far-sighted on their part—when they sold the trees they put that money into a special fund—that is just one experience but all special funds are bad and I think my contemporary should know that.

Mr. DENT. I do not know. I only have one fund—I do not have any special fund personally, so I would not know—but if it is their desire to take this money and reforest with it I do not see any sense of taking it away from them.

Mr. WOODWARD. Mr. President, the Governor and I wrote this bill and it is assured of passage. I am awfully sorry the gentleman from Westmoreland will have to vote against it.

Mr. DENT. Of course, Mr. President, if the Senator from Philadelphia and the Governor have agreed, there is nothing much we can do about it except to vote.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Farrell,
Geltz,
Heyburn,
James,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—17

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
Jones,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS POSTPONED

Mr. HEYBURN. Mr. President, I move that further consideration of Senate Bill No. 419, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of approximately twenty-one thousand acres of land in the County of Franklin, Commonwealth of Pennsylvania, known as the Letterkenny Ordnance Depot, and ceding jurisdiction to the United States

be postponed for the present.

Mr. CRIDER. Mr. President, I second the motion.

The motion was agreed to.

Mr. HEYBURN. Mr. President, I move that further consideration of Senate Bill No. 420, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Lancaster County, Pennsylvania, known as the Marietta Holding and Reconsignment Point, and ceding jurisdiction to the United States

be postponed for the present.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 498, entitled:

An Act creating a commission to make a study and investigation of strip mining directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created a commission which shall be composed of three members of the Senate to be appointed by the President pro tempore thereof and three members of the House of Representatives to be appointed by the Speaker thereof

It shall be the duty of such commission

(1) To investigate strip mining and coal stripping operations in this Commonwealth the effects thereof and the problems in connection with the same

(2) To confer with the Secretary of Mines and inspectors of the Department of Mines

(3) To engage in any research necessary to discover effective remedies for such problems

(4) To make recommendations as to legislation which might be enacted by the General Assembly for the effective regulation and control of strip mining and for remedy of problems in connection therewith

The commission shall make its report to the General Assembly not later than the first day of February one thousand nine hundred forty-five

Section 2 The person appointed as members of said commission shall meet immediately after appointment and select one of their members to act as chairman of the commission The commission shall be assisted by the Secretary of Mines and employes of the Department of Mines

The commission shall have access to the maps plans reports and other records of the Department of Mines in connection with strip mining

The commission may in addition employ and fix the compensation of a secretary and such counsel engineers experts clerks stenographers and investigators as they deem necessary to perform the duties imposed by this act The members of the commission shall receive no compensation for their services but shall be reimbursed for living and traveling expenses necessarily incurred in the performance of their duties

Section 3 The said commission shall have power to issue subpoenas under the hand of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the commission and to produce such books papers records and documents as the commission may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth Each member of said commission shall have power to administer oaths and affirmations to witnesses appearing before the commission Any person who shall wilfully neglect or refuse to testify before said commission or to produce any books papers records or documents shall be subjects to the penalties provided by the laws of the Commonwealth in such cases

Section 4 The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the payment of the expenses of its members in connection with the work required hereby and for the payment of the compensation and expenses of the secretary counsel engineers experts clerks stenographers and investigators for postage telegraph and telephone charges for witness fees allowed by the commission for supplies and printing and for all other expenses deemed necessary and proper by the commission

Section 5 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. COX. Mr. President, I desire to interrogate the gentleman from Delaware.

The PRESIDENT. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. COX. Mr. President, could not this investigation be conducted by the Joint State Government Commission?

Mr. HEYBURN. Yes, it could.

Mr. COX. I can not understand the reason for the bill, Mr. President. I do not make this statement because of pride of authorship. Two bills remain in committee and I understand they are going to remain there until the Senate adjourns. One bill would provide a very badly needed study of our educational system and the other a very badly needed study of our penal system.

Last week when I inquired of the Majority Leader what the possibilities were of these studies being made or these commissions being set up, I was told that the Legislature has a Joint State Government Commission and if a study were needed the Joint State Government Commission could conduct an investigation.

I submit to the members, although this commission sponsored by Senator Thomas may be necessary, and I do not deny it is not, I still feel the other subjects I mentioned are of just as great importance, if not of more paramount importance.

Mr. DENT. Every now and then in the political handling of legislation we run across something that happens that I think every man in the Senate ought to know about. A few weeks ago, after the gentleman from Schuylkill, Senator Watkins, and myself had introduced strip coal legislation, I received communications from certain parties who asked me to meet them and discuss this legislation, and I did so. It was proposed to me then that we drop this regulatory bill in favor of a commission to study the strip mining proposition. I rejected the idea and the offer because I knew as every man in this Senate knows, that strip mining in and around the bituminous fields is necessarily a war baby. We have permanent stripping operations, of course, which continue during peace times, but the vast majority of strip mining is performed during war time, because, in most instances, it is coal of low cover and of inferior grade and can be sold more easily during a time when there is a great demand for coal.

The purpose behind the suggestion of those men of appointing a commission was to delay action upon any legislation that might regulate strip mining operations during this war time.

Mr. President, I think I speak with some authority, because I have participated in companies that have done considerable stripping operations. Mr. President and members of the Senate, I want you to believe me when I say to you that this bill creating this commission is not at all necessary. We have, through years of study in the industry, proposed to this Senate a measure that will be a first step towards getting rid of the eye-sores created by strip mining.

This particular commission, with an appropriation of $5,000 is nothing and will be nothing but a delaying action. It has been truthfully said by the Majority Leader that we have recreated the Joint State Government Commission with power to investigate any activity in the state that they believe the Legislature should know something about.

Therefore, I submit that the proper place for this investigation, if it is needed, would be in the Joint State Government Commission, made up of members of the House and the Senate, with the power in that commission to name a sub-Committee, of which the gentleman from Mercer, Senator Thomas, who sponsored this bill, can be named chairman if the commission so desires, money can be made available from the funds of the commission, and the investigation can be carried on.

But I want to say to you, Mr. President, that before Senator Thomas ever saw this bill I had the bill presented to me and I was told very plainly—it is the identical bill, I have read it, the identical proposal—and the proposal was made to me very plainly that we would substitute this for some regulatory measure that had already been presented to the Senate and also to the House.

So, Mr. President, I want to say to the members of the Senate that the men behind this type of legislation who talked to me—I will not say they are the persons who interested the gentleman from Mercer, Senator Thomas I only say that the men who talked to me are the men who came into the state of Pennsylvania with strip mining machines and equipment from West Virginia and Ohio, right over the state line, and are strip mining in Western Pennsylvania and have no intentions whatsoever of continuing in business when the war is over.

Legitimate strip miners, men who have for years engaged in that particular type of industry, are in favor of some sort of regulation, in so far as restoring the land after they have finished striping coal is concerned.

This particular bill was proposed to me by men who are foreign to our state and our state interests and are only in here to reap the harvest during war time, and then will leave our fair land torn and bleeding from the wounds they gave it by taking the coal out of the ground and leaving it for our children and our children's children to look upon with shame, due to the lack of foresight upon the part of their fathers who were in the Legislature at the time this happened.

During the last war they tore up thousands of acres of Pennsylvania's fair land to get strip coal out and they are now doing the same thing, and by the time this investigation is over they will have taken their booty and skinned across the state line into Indiana, West Virginia and Ohio.

Mr. President, I ask the sponsor of this bill in all fairness to let this bill die, because it will be only used to forestall proper regulation of an industry that asks for regulation.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Ealy.
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Mallery.
McQuiddy,
Scarlett.
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—15

Deitrick,
Dent.
DiSilvestro.
Gourley,
Haluska,
Holland,
Jaspan,
McCreesh,
McGinnis,
Ruth,
Shapiro,
Snowden,
Stiefel,
Walker,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. HEYBURN. Mr. President, I move that further consideration of Senate Bill No. 500, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of two tracts of land in the City and County of Philadelphia, Pennsylvania, known as the Frankford Arsenal, and ceding jurisdiction to the United States

be postponed for the present.

Mr. WATKINS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 534, entitled:

An Act to amend section four hundred thirty-seven and to further amend section four hundred thirty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" changing the amount of aid which the board of county commissioners may pay out of the county funds to the historical society of the county and changing the qualifications of historical societies to receive county appropriations

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four hundred thirty-seven of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 437 Payment to Historical Societies The board of commissioners may pay out of the county funds not otherwise appropriated and upon proper vouchers being given a sum of money not exceeding [one thousand] two thousand dollars annually to the county historical society [of the county] to assist in paying the running expenses thereof If there are any more than one such societies in the county such payment may be made only to the oldest society When any such society is comprised of residents of more than one county the commissioners of said respective counties may jointly pay said sum in such proportion as they shall agree

No such appropriation shall be renewed until vouchers have been filed with the commissioners showing that the appropriation for any prior year has been expended for the purpose herein designated

Section 2 Section four hundred thirty-eight of said act as amended by the act approved the eleventh day of June one thousand nine hundred forty-one (P L 51) is hereby further amended to read as follows

Section 438 Qualification of Society In order to entitle any historical society to the said appropriation the following conditions shall have been first complied with it shall have been organized at least two years incorporated by the proper authority and have an active membership of one hundred or more persons each of whom shall have paid into the treasury of said society a membership fee of at least two dollars for the support of the same it shall hold at least two public meeting yearly whereat papers shall be read or discussions held on historic subjects it shall have established a museum wherein shall be deposited curios and other objects of interest and books documents and papers relating to the history of the county or State and it shall have adopted a constitution and code of by-laws and elected proper officers to conduct its business

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent.
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. HEYBURN. Mr. President, I move that further consideration of Senate Bill No. 540, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Montgomery County, Pennsylvania, known as the United States Naval Air Station, Hatboro Willow Grove, Pennsylvania, and ceding jurisdiction to the United States

be postponed for the present.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 544, on third reading, entitled:

An Act to amend section two hundred fifty-six of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," giving fish wardens, while in uniform, power to stop boats, vehicles and conveyances for search and investigation

be recommitted to the Committee on Forests and Waters, Game and Fish.

Mr. EALY. Mr. President, I second the motion.

The motion was agreed to.

BILL POSTPONED

Mr. HEYBURN. Mr. President, I move that further consideration of Senate Bill No. 545, on third reading, entitled:

An Act giving the consent of the Commonwealth of Pennsylvania to the acquisition by the United States of America of a tract of land in Cumberland County, Pennsylvania, for a supply depot, known as the United States Naval Supply Depot, Mechanicsburg, Pennsylvania, and ceding jurisdiction to the United States

be postponed for the present.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 549, entitled:

An Act to further amend sections three hundred one and three hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by authorizing the Board of Finance and Revenue with the approval of the Governor to invest State deposits in short-term obligations of the United States government and to dispose of the same

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That section three hundred one of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the seventh day of June one thousand nine hundred thirty-five (P. L. 283) is hereby further amended to read as follows

Section 301 Deposit of Moneys The Treasury Department shall deposit all moneys of the Commonwealth received by it including moneys not belonging to the Commonwealth but of which the Treasury Department or the State Treasurer is custodian in State depositories approved by the Board of Finance and Revenue

The Treasury Department shall not at any time have in all active depositories more than an aggregate of such total sum as the Board of Finance and Revenue shall by resolution have prescribed and shall not deposit in any one inactive depository an amount in excess of twenty-five per centum of its paid-in capital and surplus nor in excess of five hundred thousand dollars Provided however That in the case of any particular depository these limitations may be waived by the Board of Finance and Revenue so as to permit the State Treasurer to deposit State moneys not in excess of one million dollars in any bank banking institution or trust company designated as an inactive depository

All departments boards or commissions having in their possession any moneys belonging to the Commonwealth shall deposit them in State depositories approved by the Board of Finance and Revenue In all such cases the depositing department board or commission shall forthwith upon opening the account notify the Department of the Auditor General and the Treasury Department of the name of the depository and the nature of the funds to be deposited in the account

The Board of Finance and Revenue with the approval of the Governor may from time to time invest in direct short-term obligations of the United States government such amounts of the moneys of the Commonwealth with the exception of moneys in any fund authorized by law to be invested by any other board commission or State officer on deposit from time to time in State depositories as shall have accumulated beyond the ordinary needs of various funds The Board of Finance and Revenue with the Governor's approval shall from time to time as necessary sell such short term obligations and credit the proceeds to the funds out of which the purchases were made

Section 2 That section three hundred three of said act as amended by the act approved the first day of June one thousand nine hundred thirty-one (P. L. 318) is hereby further amended to read as follows

Section 303 Securities The Treasury Department shall

(a) Safely keep all securities delivered to it or to the State Treasurer as custodian thereof by any department board or commission under authority of any act of Assembly

(b) From time to time collect dividends interest or any other income accruing on such securities and credit the proceeds of such collections to the proper fund

(c) In proper cases surrender such securities for redemption and credit the proceeds thereof to the proper fund

(d) Upon receipt of written authorization from the department board or commission which deposited them make delivery of any such securities lawfully sold by such department board or commission [and]

(e) Safely keep all short-term obligations of the United States government purchased under the provisions of this act from time to time collect interest or other income accruing on such short-term obligations and credit the same to the proper funds

[(e)] (f) From time to time to advise the Department of Revenue and the departments boards or commissions affected of amounts credited to any funds hereunder

The Treasury Department is authorized to carry such insurance against the loss of all or any cash and securities of which it or the State Treasurer is custodian through theft burglary or otherwise and such insurance to cover forgeries of all kinds on checks drafts warrants and requisitions as the department shall deem advisable The Treasury Department is also authorized to make settlement for to take delivery of and to have held for the account of the funds out of which purchased any of the short term obligations of the United States Government which may be purchased under the terms of this act at the Federal Reserve Bank of Philadelphia or the Pittsburgh branch of the Federal Reserve Bank of Cleveland

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox.
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 588, entitled:

An Act to amend paragraph four of subsection (c) of section two hundred two and to further amend section six hundred twenty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the purposes for which certain companies may be incorporated to include insuring medical hospital surgical and funeral expenses in connection with certain kinds of liability insurance and insuring against loss or damage to property from certain causes for which the person insured is liable

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph four of subsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 202 Purposes for Which Companies May Be Incorporated

* * * * *

(c) Stock casualty insurance companies may be incorporated for any or all of the following purposes

* * * * *

(4) To insure any one against loss or damage resulting from accident to or injury fatal or non-fatal suffered by an employe or other person for which the person insured is liable to insure against medical hospital surgical and funeral expenses incurred by or on behalf of persons accidentally injured including the person insured irrespective of the legal liability of the insured when such insurance is issued with and supplemental to such liability insurance [or] to insure against loss or damage to property caused by horses or by any vehicle drawn by animal power for which loss or damage the person insured is liable and to insure against loss or damage to property for which loss or damage the person insured is liable but not including any kind of property damage insurance specified in other paragraphs of this section

Section 2 Section six hundred twenty-nine of said act as amended by the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 678) is hereby further amended by adding thereto a new subsection to read as follows

Section 629 Limitations

* * * * *

(e) Nothing in subdivision (b) of this article shall apply to nor in any way affect any insurance of medical hospital surgical and funeral expenses issued with and supplemental to a liability insurance policy as mentioned in paragraph four of subsection (c) of section two hundred two of this act

Section 3 This act shall become effective sixty (60) days after final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, this is another one of those bills which will not help the policy holder. This bill permits insurance against liability, whether the insured is liable or not. It means that companies can accept premiums and then deny liability.

I wish to vote "no" on the bill.

The PRESIDENT. The gentleman from Philadelphia will be so recorded.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Ealy,
Farrell,
Geltz,
Haluska,
Heyburn,
James,
Jones.
Kephart,
Letzler,
Mallery,
McGinnis,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodward,

NAYS—13

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Holland,
Jaspan,
McCreesh,
Ruth,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 649, entitled:

An Act to amend section one thousand five hundred seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing a method for financing the cost of constructing sewers or drains

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand five hundred seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1507 Cost of Construction How Paid The cost of construction of any such system of sewers or drains constructed by the authority of this subdivision of this act shall be charged upon the properties accommodated or benefited thereby to the extent of such benefits in the manner hereinafter provided

The township supervisors may finance the cost of construction of any such system of sewers or drains by the issuance of general obligation bonds of the township within the constitutional and statutory limitations for the incurring or increasing of indebtedness and pursuant to the provisions of the laws relating to the borrowing of money by political subdivisions Any general obligation bonds issued for such purpose or purposes shall be supported by the levy of a general tax sufficient for the payment of the interest thereon together with any taxes covenanted to be paid thereon and the principal of such bonds at maturity Where general obligation bonds are so issued the supervisitors shall nevertheless be required to assess the cost of the contruction of such sewers or drains to the extent permitted by law against the properties accommodated or benefited by such improvements as hereinafter provided and to deposit the proceeds of such assessments in the sinking fund established for the purpose of retiring such general obligation bonds

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring.
Woodward,

NAYS—1

Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 838, entitled:

An Act to further amend section four of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" by suspending under certain conditions the operation of certain provisions during the present war

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-fifth day of July one thousand nine hundred seventeen (P. L. 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" as amended by the act approved the twenty-fifth day of June one thousand nine hundred thirty-seven (P. L. 2091) is hereby further amended to read as follows

Section 4 No county agricultural association hereafter incorporated and no county shall be entitled to the benefits of this act until such association or county shall have held two consecutive annual exhibitions of the character designated in the preceding section nor shall such association or county receive any appropriation for their third and fourth years respectively in excess of the amounut it paid in premiums in the State exclusive of premiums for trials of speed during its second year and such association upon its incorporation shall file with the Auditor General a declaration of its intention to apply for said premium money for its third year Such association must also file its report during its first two years the same as any other association This section shall not apply to a county agricultural association heretofore incorporated owning their own buildings and grounds which shall hold annual exhibitions of the character designated in section three Nor shall this section apply to a county agricultural association heretofore or hereafter incorporated which shall resume the holding of annual exhibitions of the character designated in section three of this act which exhibitions have been for a period of not more than two years temporarily discontinued Provided however That upon the termination of the existing state of war between the United States and any foreign country any incorporated agricultural association otherwise entitled to receive the benefits of this act shall not be disqualified from said benefits by reason of the discontinuance of said exhibitions for two or more consecutive years during the existing state of war between the United States and any foreign country if said agricultural association has on or before December 15th of each year commencing with one thousand nine hundred forty-three filed with the Department of Agriculture of the Commonwealth of Pennsylvania a sworn statement averring the discontinuance of such exhibitions to have been caused by war conditions

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 914, entitled:

An Act to further amend the title and certain sections of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania Motor Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania Motor Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania Motor Police and the enforcement of its orders and prescribing penalties" by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania Motor Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania Motor Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania Motor Police and the enforcement of its orders and prescribing penalties" as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2403) is hereby further amended to read as follows

An Act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania [Motor] State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania [Motor] State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania [Motor] State Police and the enforcement of its orders and prescribing penalties

Section 2 Sections one two three four five seven nine eleven twelve thirteen and fifteen of said act as amended by the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2403) are hereby further amended to read as follows

Section 1 Be it enacted &c That the Commissioner of the Pennsylvania [Motor] State Police may appoint and remove the chief of the fire department of any county city borough town or township where a fire department is established or where no such fire department exists the burgess or constable of any borough or town or constable or the president or chairman of the board of supervisors of any townships as assistants to the department and when so appointed shall be subject to the obligations imposed by this act and to the authority of the Pennsylvania [Motor] State Police

The Commissioner of Pennsylvania [Motor] State Police may also appoint individual citizens as assistants to the Pennsylvania [Motor] State Police who shall be subject to the obligation aforesaid and to the directions of the Pennsylvania [Motor] State Police

The Pennsylvania [Motor] State Police may adopt and enforce rules and regulations governing the having using storage sale and keeping of gasoline naphtha kerosene or other substance of like character blasting powder gunpowder dynamite or any other inflammable or combustible chemical products or substances or materials The Pennsylvania [Motor] State Police may also adopt and enforce rules and regulations requiring the placing of fire-extinguishers in buildings

Section 2 Each of the aforesaid assistants shall inquire into the origin cause and other circumstances of every fire by which any property or life has been destroyed damaged or endangered occurring within the territorial limits of their respective cities boroughs towns or townships and shall make every effort to determine whether such fires were of incendiary origin or the result of design carelessness or accident

Upon the occurrence of any fire such assistant shall report the same to the Pennsylvania [Motor] State Police within five days after its occurrence If the fire appears to the assistant making such inquiry to be of such character and origin as shall require thorough and exhaustive investigation he shall immediately notify the Pennsylvania [Motor] State Police and shall when directed by the Pennsylvania [Motor] State Police assist in the making of such investigation The reports of any such fire shall be made in writing and in the manner and form prescribed by the Pennsylvania [Motor] State Police on the blanks furnished for that purpose Such reports shall in every case contain a statement of (a) All the facts relating to the cause of such fire that can be ascertained (b) the extent of the loss and damage to each property (c) the loss of life and personal injuries caused thereby or resulting therefrom (d) the amount of insurance upon each property destroyed or damaged and (e) such other information as may be required by the Pennsylvania [Motor] State Police

The assistant shall notify the Pennsylvania [Motor] State Police immediately by telephone or telegraphic message of not more than ten words of the occurrence of any incendiary fire

The duties hereinbefore prescribed to be performed by the said assistant may be limited by the Pennsylvania [Motor] State Police so as to reasonably accord with their pre-existing public duties

Any of the aforesaid assistants who shall neglect or refuse to report to the Pennsylvania [Motor] State Police or who shall neglect or refuse to make reports or investigations of fires as provided in this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding fifty dollars or to undergo imprisonment not exceeding thirty days or both

Section 3 The Pennsylvania [Motor] State Police or its assistants upon the complaint of any person or whenever it or they shall deem it necessary shall inspect the buildings and premises within their jurisdiction Whenever any of the said officers shall find any buildings or structures which for want of repairs or by reason of age or dilapidated condition or accumulation of waste rubbish debris explosive or inflammable substance in any buildings or on premises constituting a fire menace or hazard or for any other cause making it especially liable to fire and endangering property and so situated as to endanger other property it or they shall order the same to be removed or remedied if the same is reasonably practicable thereby lessening the danger of fire Whenever such officer shall find in any building combustible or explosive matter or inflammable conditions which are in violation of any law or ordinance applicable thereto or are dangerous to the safety of such buildings thereby endangering other property it or they shall order the same to be removed or remedied and such order shall contain a notice that an appeal therefrom may be taken and shall forthwith be complied with by the owner or occupant of such premises or buildings If such order is made by any assistant to the Pennsylvania [Motor] State Police such owner or occupant may within five days appeal to the Pennsylvania [Motor] State Police which shall within ten days review such order and file its decision thereon and unless by its authority the order is revoked or modified it shall remain in full force and be obeyed by such owner or occupant Any owner or occupant who feels aggrieved by any order of the Pennsylvania [Motor] State Police or by any decision upholding or modifying any order of any of its assistants may within five days after the same has been made or filed by the Pennsylvania [Motor] State Police file his petition with the court of common pleas of the proper county praying a review of such order and it shall be the duty of the court to hear the same at the first convenient day and to make such order in the premises as right and justice may require

The service of any such order shall be made upon the owner or occupant of the premises to whom it is directed by either delivering a true copy of same to such occupant personally or by delivering the same to and leaving it with any person in charge of the premises or in case no such person is found upon the premises by affixing a copy thereof in a conspicuous place on the door to the entrance of the said premises Whenever it may be necessary to serve such an order upon the owner of premises such order may be served either by delivering to and leaving with the said person a true copy of the said order or if such owner is absent from the jurisdiction of the officer making the order by mailing such copy to the owner's last known post office address

Any owner or occupant refusing or neglecting to comply with any final order or notice issued by the Pennsylvania [Motor] State Police or under its direction by any inspector or member of the Pennsylvania [Motor] State Police shall upon conviction thereof under summary proceedings instituted before any magistrate alderman or justice of the peace in the county where such violations occur be sentenced to pay a fine of not less than fifty dollars ($50.00) [dollars] nor more than two hundred dollars ($200.00) [dollars] and in default of the payment of such fine and costs to be imprisoned in the county prison one day for each dollar of fine and costs unpaid Upon conviction after hearing the sentences provided in this act shall be imposed and shall be final unless an appeal be taken in the manner prescribed by law

All fines collected under this act shall be paid into the General Fund in the State Treasury through the Department of Revenue

Section 4 The Pennsylvania [Motor] State Police or its assistants in addition to the investigation made by any of the assistants may at any time investigate the origin or circumstances of any fire occurring in this Commonwealth The Pennsylvania [Motor] State Police or its assistants shall have the power to summon witnesses and compel them to attend before them or either of them and to testify in relation to any matter which is by the provisions of this act a subject of inquiry and investigation and may require the production of any books papers or documents deemed pertinent or necessary to the inquiry and shall have the power to administer oaths and affirmations to any person appearing as a witness before them Such examination may be public or private as the officers conducting the investigation may determine

No person shall be excused from attending before the Pennsylvania [Motor] State Police or its assistants when summoned so to attend nor when ordered so to do shall he be excused from testifying or producing any books papers or documents before such Pennsylvania [Motor] State Police upon any investigation proceeding or inquiry instituted under the provisions of this act upon the ground or for the reason that the testimony or the evidence documentary or otherwise required of him may tend to convict him of a crime or subject him to a penalty or forfeiture but no person shall be prosecuted or subjected to a penalty or forfeiture for or on account of any transaction matter or thing concerning which he may have been required so to testify or produce evidence documentary or otherwise and no testimony so given or produced shall be received against him upon any criminal investigation or proceedings If after any such examination the Pennsylvania [Motor] State Police or any of its assistants is of the opinion that the facts in relation to such fire indicate that a crime has been committed it or he shall present the testimony taken on such examination together with any other data in his possession to the district attorney of the proper county with the request that he institute such criminal proceedings as such testimony or data may warrant

The Pennsylvania [Motor] State Police or its assistants may at all reasonable hours enter any building or premises within its or their jurisdiction for the purpose of making an inspection which under the provisions of this act it or they may deem necessary to be made

Section 5 Any witness who refuses to obey a summons of the Pennsylvania [Motor] State Police or its assistants or who refuses to be sworn or to testify or who disobeys any lawful order of the Pennsylvania [Motor] State Police or its assistants in relation to any investigation instituted by it or them or who fails or refuses to produce any books papers or documents touching any matter under investigation or examination or who is guilty of any contempt after being summoned to appear before it or any of them to give testimony in relation to any matter or subject under examination or investigation as aforesaid may be punished as for contempt of court For this purpose application may be made to any court within whose jurisdiction the contempt in question took place and for which purpose the courts of common pleas of this Commonwealth are hereby given jurisdiction

Section 7 It shall be the duty of the Pennsylvania [Motor] State Police to prepare in consultation with the Superintendent of Public Instruction books of instruction for use in the public and private schools of students of all grades with regard to the dangers of fire and the prevention of fire waste It shall be the duty of the Superintendent of Public Instruction and of the principals or other persons in charge of the various schools of this Commonwealth to provide for the instruction and training of pupils of such schools by means of drills so that they may in sudden emergencies be able to leave the school buildings in the shortest possible time without confusion or panic Such drills shall be held at least once a month when the schools are in session Books of instruction with regard to the dangers of fire and the prevention of fire waste as above specified shall be published at the expense of the State under the direction of the Superintendent of Public Instruction and shall be distributed in sufficient quantities for the use of the school as herein provided and the curriculum of such schools shall include some regular and continuous study of such subjects during the entire school year

Section 9 The assistants to the Pennsylvania [Motor] State Police not receiving a salary for the performance of public duties shall receive upon the audit of the Pennsylvania [Motor] State Police fifty cents for each report of each separate fire reported to the Pennsylvania [Motor] State Police under this act and in addition thereto shall be paid the sum of fifteen cents for each mile traveled to the place of fire and in the discretion of the Pennsylvania [Motor] State Police where an investigation has been made a sum not to exceed three dollars ($3.00) [($3) dollars] for each day's service spent in such investigation

Section 11 Every fire insurance corporation or association transacting business in this State shall file with the Pennsylvania [Motor] State Police through an actuarial bureau of any board of fire underwriters or through the secretary or other officer of the insurance corporation or association a monthly report of fire losses showing (a) The name of the insured (b) location of property burned (c) date of the fire (d) the class of occupancy and construction (e) the probable cause of the fire (f) the sound valuation (g) total insurance (h) the total loss paid

Such corporation or association shall also file through officers an annual report of all fires on which losses have been paid during the preceding calendar year designating the amount of insurance written on such risk by the corporation or association the amount of probable loss the character of the property destroyed or damaged and the supposed cause of the fire

In all cases where such corporation or association receives evidence or information indicating that any fire was of incendiary origin a report of such fire and of such evidence or information shall be immediately communicated to the Pennsylvania [Motor] State Police

The monthly report hereinbefore required shall be made in writing and sent by registered mail to the Pennsylvania [Motor] State Police addressed to its office in the city of Harrisburg on or before the tenth day of each month as to all fires of which notice was received during the preceding month and shall include either in the first or subsequent monthly report the amount of loss as adjusted and actually paid by such corporation or association for on account of or by reason of such loss

The annual report hereinbefore required shall be made to the Pennsylvania [Motor] State Police on or before the first day of May

The notices and reports hereinbefore required by this section shall be in addition to any notices and reports such corporation or association may be required to make under the laws of this Commonwealth to the Insurance Commissioner or to any other State officer

Section 12 Every board association or bureau which now exists or hereafter may be formed for the purpose of suggesting establishing or maintaining rates of fire insurance on property located in this State shall supply to the Pennsylvania [Motor] State Police on request or permit the Pennsylvania [Motor] State Police to copy from its files reasonable data relating to the physical condition of insurable property in this State and relating to physical fire hazards in the various communities thereof

Section 13 Any fire insurance company or association wilfully violating any of the provisions of this act shall be liable to a penalty of two hundred [and] fifty dollars ($250.00) to be recovered at the suit of the Pennsylvania [Motor] State Police as debts of like amount are now by law recoverable and any foreign fire insurance company or association licensed to do business in this Commonwealth wilfully violating any of the provisions of this act shall in addition to incurring said penalty forfeit its rights to continue the transaction of its business in this State

Section 15 That all rules and regulations heretofore promulgated by the State Fire Marshal or by the Department of State Police or the Pennsylvania State Police or the Pennsylvania Motor Police and now in force shall continue in force until modified or abolished by the Pennsylvania [Motor] State Police

All suits actions or proceedings now pending under any act hereby repealed or supplied shall not be affected but shall be continued by the Pennsylvania [Motor] State Police

Section 3 This act shall become effective the first day of June one thousand nine hundred forty-three

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Ealy,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING

BILLS RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 134, on second reading, entitled:

An Act to further amend section eleven of the act approved the thirteenth day of May one thousand nine hundred twenty-five (P. L. 644) entitled "An act relating to and regulating the solictation of moneys and property for charitable religious benevolent humane and patriotic purposes" by providing that said act shall not apply to certain war veterans' organizations or the subordinate units thereof

be recommitted to the Committee on Military Affairs.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

Mr. HEYBURN. Mr. President, I move that House Bill No. 279, on second reading, entitled:

An Act to amend sections one two three six ten twenty-four and twenty-six of the act approved the fifth day of June one thousand nine hundred and forty-one (P. L. 84) entitled "An act providing for and regulating the appointment promotion and reduction in rank suspension and removal of paid members of the police force in boroughs incorporated towns and townships of the first class maintaining a police force of not less than three members creating a civil service commission in each borough incorporated town and township of the first class defining the duties of such civil service commission imposing certain duties and expense on boroughs incorporated towns and townships of the first class imposing penalties and repealing inconsistent laws" by making said act applicable permanently to all boroughs incorporated towns and townships of the first and second class which maintain a police force making special provision in the case of appointments made during the present war and for a period thereafter and saving certain provisions of law from repeal

be recommitted to the Committee on Municipal Government.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

Mr. HEYBURN. Mr. President, I move that House Bill No. 356, on second reading, entitled:

An Act to amend clause one of section seven hundred two of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" increasing the period for which contracts for lighting may be made

be recommitted to the Committee on Municipal Government.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 403, entitled:

An Act to further amend section three hundred and eight of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2017), entitled "An act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth; regulating the affairs of poor districts until abolished; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws," providing for the issuance of bonds in accordance with the "Municipal Borrowing Law," changing the conditions for borrowing money for current expenses.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 403, entitled:

An Act to amend section seven of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by requiring a copy of the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association to be kept in every pharmacy.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Mr. SHAPIRO. Mr. President, before this bill gets too far I should like to call to the attention of the members of the Senate that while it may be necessary for druggists to keep records of drugs, they still come under the Harrison Act. This bill does not merely do that. It requires a book, which has not been published, never has been and probably never will be unless this bill becomes a law, to be kept in every drug store. I have made inquiries from the group having charge of drugs in this Commonwealth and asked about the book and the book does not exist.

They tried two years ago to get such a bill through the House and it was defeated then—then there was no such book and now there is no such book—and it seems to me a silly proposition to try to put through a piece of legislation like this.

Now a druggist is requested to keep a record of sales of drugs under the Harrison Act; I have no objection to that but this is just an idea to sell books to druggists for no good reason at all.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 427, entitled:

An Act to amend Sections 2501, 2504, 2505 and 2506 of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," providing for the payment of sewer assessments in monthly or quarterly instalments; regulating the filing of liens therefor and authorizing the filing of such liens after the time fixed by law shall have expired.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. LETZLER. Mr. President, I ask unanimous consent that Senate Bill No. 465, on second reading, entitled:

An Act authorizing the Department of Welfare to enter into contracts for foodstuffs to supply State and State-aided institutions, and to purchase the same in open market, and to process the same for preservation; providing for transfers from appropriations made to such institutions in payment therefor; authorizing dehydrating plants and equipment at State institutions, and the use of inmate labor thereat; conferring power and imposing duties on the Department of Property and Supplies; and making an appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 473, on second reading, entitled:

An Act to further amend sections four five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by limiting the power of an Authority to acquire the title to projects subject to the jurisdiction of the Pennsylvania Public Utility Commission authorizing an appeal to the court of common pleas from such action on the part of the Authority; and providing that Authority bonds shall be sold at public sale after public notice by advertisement

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 516, entitled:

An Act authorizing during the continuance of the present war and for a period thereafter the employment of certain minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. CROWE offered the following amendment:

Amend Sec. 1, page 1, line 6, by inserting after the word "thereto" the following: "This act does not authorize the employment of any such minor at any hour when such minor is required by existing law to attend school or after the hour of twelve (12) midnight."

It was agreed to.

The section was agreed to as amended.

The second and third sections were separately read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. CROWE offered the following amendment:

Amend title, page 1, line 2 of title, by inserting after the word "employment" the words: "or after the hour of twelve (12) midnight."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 522, entitled:

An Act relating to post-war planning creating a Post-War Planning Commission and defining its powers and duties conferring power and duties upon State administrative departments boards and commissions political subdivisions and other agencies and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 532, entitled:

An Act to further amend the last paragraph of section five of the act approved the twelfth day of May, one thousand nine hundred eleven, (P. L. 295), entitled "A supplement to an act, entitled 'An act for the government of cities of the second class' approved the seventh day of March, Anno Domini one thousand nine hundred and one; providing for the levy, collection, and disbursement of taxes and water-rents, or rates, and conferring certain powers and duties in reference thereto upon the city treasurer, the board of water assessors, and the collector of delinquent taxes; and repealing certain acts relating to matters herein provided for," requiring the board of water assessors to furnish information to departments of the city government.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 565, entitled:

An Act to amend section one of the act approved the sixteenth day of May, one thousand nine hundred thirty-nine (P. L. 139) entitled "An act authorizing counties, cities, boroughs, townships of the first and second class, and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof, and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds; and fixing a penalty for the violation thereof," extending the provisions thereof to meet increased operating expenses during the war emergency.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 595, entitled:

An Act to amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing becoming a nonresident of the State as a cause for forfeiture of rights under the police pension fund.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 626 on second reading, entitled:

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors where the Township has received in maintenance and improvement of its highways a reasonable quid pro quo for such contracts and to authorize ratify confirm and validate payments on such contracts by the Township and to provide that no Township Supervisor shall be subject to surcharge for payments heretofore made on any such contract

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 46, entitled:

An Act relating to labor organizations protecting the rights of members thereof imposing certain responsibilities and duties upon the officers of labor organizations requiring the registration of foreign labor organizations, and prohibiting gifts by labor organizations to political organizations or candidates for election or nominations, and regulating the making of loans; conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 145, entitled:

An Act making an apprporiation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 291, entitled:

An Act to further amend section forty-nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 477) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised as a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by changing the provisions of subsection (b) thereof which authorize executors or administrators to make distribution and pay or deliver legacies without the audit of their accounts

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 400, entitled:

An Act to ratify, confirm, and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 440, entitled:

An Act creating a Commission for the Port of Chester; providing for the appointment of the members of said commission; defining its powers and duties; and making an appropriation to defray its expenses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 470, entitled:

An Act authorizing and creating an Anthracite Mine Subsidence Commission within the Department of Mines of the Commonwealth of Pennsylvania; defining its jurisdiction and powers, its duties to undertake studies and prepare such plan or plans as shall be deemed necessary to conserve anthracite; to prevent the loss of life both on the surface and underground; to prevent the destruction of property, both underground and on the surface, as a result of subsidences due to the removal of coal; providing for the common good of the people in the Anthracite Region and the Anthracite Industry; authorizing the commission to enter anthracite mines and the surface above such mines, and to designate locations for bore holes for flushing mines; providing for employes of said commission and their salaries; imposing duties upon the commission and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 501, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act," approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 203); and prescribing a limitation period within which such petitions must have been filed

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 544, entitled:

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 545, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 546, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time by reducing the rate of tax eliminating the deduction for Federal taxes further defining net income authorizing the Department of Revenue to grant an additional extension of time for filing reports changing the method of reporting in certain cases reducing the interest penalty on unpaid taxes and making certain of the changes effected by this reenacting and amending act retroactive to a certain extent

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 547, entitled:

An Act making an appropriation for the expenses of the Committee of the Senate created by Senate Resolution Number three (Serial No. 66) adopted the twelfth day of July, one thousand nine hundred forty-one, to investigate rioting in Donaldson, Schuylkill County

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 547, entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and by further defining the gross receipts tax liability of companies limited partnerships associations joint-stock associations copartnerships and persons engaged in the sale of electric energy

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 548, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REQUEST THAT SENATE BILL No. 570 GO OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 570, on first reading, entitled:

An Act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities, and county institution district, purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the offices of assistant assessor and assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment

go over in its order.

The PRESIDENT. Is there objection?

Mr. HOLLAND. Mr. President, I object.

Mr. HOLLAND. I object, Mr. President. You are railroading some anti-labor bills through and I insist that these bills be read in full.

Mr. HEYBURN. For the information of the gentleman from Allegheny, Senator Holland, this bill is sponsored by the gentleman from Lackawanna, Senator Coleman. I do not know whether it is anti-labor or not, and I suggest that the gentleman from Allegheny talk to his colleague, Senator Coleman.

Mr. HOLLAND. Mr. President, the Majority Leader knows the remarks I made were not with reference to this bill; he knows very well what I had in mind was Senate Bill No. 46, and that is an inspired bill and I insist on all bills being read at length. I insist that every bill be read at length.

The PRESIDENT. What is the pleasure of the Senate?

Mr. HOLLAND. I insist on all bills being read at length.

Mr. HEYBURN. Mr. President, this bill on first reading, is very lengthy, and I suppose we will have to put it over in order. This is a bill in which the County Commissioners Association are vitally interested. If the gentleman from Allegheny, Senator Holland, is standing in the way of its passage I am very sorry, so I will have to move that it go over in order.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 570, Printer's No. 273, on first reading, go over in its order.

Mr. SCARLETT. Mr. President, I second the motion.

On the question,
Will the Senate agree to the motion?

Mr. MALLERY. Mr. President, I object to this bill going over in order. I have sat here very much in disgust tonight but I have hesitated to take the floor in protest against the way that this session has been conducted. I am almost ashamed to be a member of the Senate. The members here are not acting as grown men; they are acting like children, and I think that it is high time that we cut out this monkey-business and get down to acting like grown men.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Mr. MALLERY. Mr. President, on the motion, I wish to be recorded as voting "no."

The PRESIDENT. The gentleman from Blair will be so recorded.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 576, entitled:

An Act to add clause fifty-five to section two thousand four hundred three of th act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the sale of unused and unnecessary land and building

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 587, entitled:

An Act authorizing the treasurer of any city or county of the first class, during the continuance of the hostilities incident to the present war, and for six months thereafter, to invest money in the treasury of such city or county not required for immediate use, in certain obligations of the United States Government, and to sell or have the same redeemed

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 1056, entitled:

An Act abolishing the entire Mercantile License Tax System repealing the various license taxes under said system except as to taxes already due abolishing certain offices and employments providing for the collection of delinquent taxes providing for the final settlement of accounts between the Commonwealth and county treasurers and making certain repeals

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES

Mr. WALKER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 398, entitled:

An Act regulating the issuance of execution on judgments confessed on written instruments; and providing that when such judgments are entered in one county, defenses may be made to the same by petitions to open filed in any other county where execution thereon is issued or made

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 524, entitled:

An Act to amend sections four hundred twenty-six and four hundred twenty-seven of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment, establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 574, entitled:

An Act abating unpaid tax penalties and interest on certain city and school taxes heretofore levied by cities of the first class and school districts of the first class against real estate owned by certain institutions of purely public charity and giving such taxing authorities the right to reject the provisions of the act.

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 595, entitled:

An Act to amend section twelve of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," conferring jurisdiction on the county court of Allegheny county in cases of appeals from the board of property assessment, appeals and review

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 573, entitled:

An Act to amend sections two and three of the act, approved the twenty-fourth day of July, one thousand nine hundred and forty-one (P. L. 490), entitled "An act relating to acknowledgments of written instruments, and to make uniform the law with relation thereto," by authorizing deputy recorders of deeds to take acknowledgments, and validating acknowledgments taken by them

He also, from the Committee on Corporations, reported as committed, Senate Bill No. 517, entitled:

An Act to further amend section ten of the act, approved the twenty-ninth day of May, one thousand eight hundred and eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies," providing that natural gas companies shall have the right of eminent domain for the storage of natural gas and manufactured fuel gas beneath the surface of any lands situate within the territory of production, pipe lines, or of supply of such corporation

He also, from the Committee on Corporations, reported as committed, Senate Bill No. 567, entitled:

An Act to add subsection E to section two hundred two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," prohibiting domestic and foreign business corporations from doing business, entering into contracts or advertising under any but its corporate name; and prescribing penalties

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS, from the Committee on Judiciary General, reported as committed, House Bill No. 675, entitled:

An Act to further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" making the sale of land purchased at treasurer's sale discretionary and authorizing the sale of such property on court order free and clear of all liens charges and estates

He also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 556, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen, and to make uniform the law with reference thereto

EXECUTIVE NOMINATIONS

Mr. WATKINS, from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid over for one day under the rules.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorette Gumble (Republican), Paupack, Pike County, for appointment as a member of the Pike County Board of Assistance, to serve until December 31, 1944, and until her successor is duly appointed and qualified, vice William Weintz, resigned.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate S. M. Kohler, Box No. 32, Fayetteville, Franklin County, for appointment as Justice of the Peace in and for the Township of Greene, Franklin County, until the first Monday in January, 1944, vice Robert C. Boyles, resigned.

EDWARD MARTIN.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David R. Moody, 440 Olive Avenue, North Charleroi, Charleroi, for appointment as Justice of the Peace in and for the Borough of North Charleroi, Washington County, until the first Monday in January, 1944, to fill a vacancy.

EDWARD MARTIN.

BILLS INTRODUCED AND REFERRED

Mr. WATKINS. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WATKINS read in place and presented to the Chair, Senate Bill No. 603, entitled:

An Act authorizing the Department of Property and Supplies to establish, operate and maintain self-sustaining restaurants, as herein defined, in the State Capitol and adjacent buildings, creating a revolving fund for this purpose to be known as The State Restaurant Fund, providing additional duties for the State Treasurer and the Department of Health in connection therewith, and appropriating the necessary funds for these purposes.

Which was committed to the Committee on State Government.

Mr. GELTZ. Mr. President, I ask unanimous consent to introduce (bills) at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GELTZ read in place and presented to the Chair, Senate Bill No. 604, entitled:

A Joint Resolution proposing an amendment to section two, article twelve, of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

He also read in his place and presented to the Chair, Senate Bill No. 605, entitled:

A Joint Resolution proposing an amendment to section eighteen, article five, of the Constitution of the Commonwealth of Pennsylvania

Which was committed to the Committee on Constitutional Changes.

Mr. COX. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COX read in place and presented to the Chair, Senate Bill No. 606, entitled:

An Act making an appropriation to the Department of Public Instruction to be allocated to the various counties for citizenship education.

Which was committed to the Committee on Appropriations.

Mr. WALKER. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WALKER read in place and presented to the Chair, Senate Bill No. 607, entitled:

An Act making an appropriation to the Western Pennsylvania School for the Deaf at Edgewood, Pennsylvania

Which was committed to the Committee on Appropriations.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Wednesday, April 21, 1943, at 2:00 o'clock p. m. Eastern War Time.

Mr. MALLERY. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:03 o'clock p. m. Eastern War Time until Wednesday, April 21, 1943, at 2:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

TUESDAY, April 20, 1943.

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O Eternal God, who hast set within us a spirit which answers to Thine own, give us faith to follow Thee. To our longing hearts Thou art ever the answer. Teach us to be led by Thee and let the whole world feel and see that things which were cast down are being raised up, and things which had grown old are being made new through Him whose good cheer can overcome the world, the same Jesus Christ. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Monday, April 19, 1943.

The Clerk proceeded to read the Journal of Monday, April 19, 1943, when, on motion of Mr. LEE, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. McMILLEN and KOWALSKI.

HOUSE BILL No. 1102.

An act to further amend section one of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1016), entitled, "An act relating to aeronautics; providing for the maintenance and operation of intermediate landing fields and air navigation facilities by the Commonwealth alone or in cooperation with the United States Government or political subdivisions of the Commonwealth; providing for the execution of leases or the issuance of licenses to the United States Government or to political subdivisions of the Commonwealth for the maintenance of navigation facilities on intermediate landing fields of the Commonwealth; conferring powers and duties on the Department of Revenue with respect thereto; and repealing certain acts and parts of acts," by transferring certain powers and duties from the Department of Revenue to the Pennsylvania Aeronautics Commission.

Referred to the Committee on State Government.

By Messrs. McMILLEN and KOWALSKI.

HOUSE BILL No. 1103.

An act to further amend Section two hundred two, to reenact and amend section four hundred seven, to reenact and further amend section one thousand two hundred eight and to amend section two thousand nine hundred six of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by providing for a Pennsylvania Aeronautics Commission in the Department of Commerce, by defining the constitution, powers, duties and renumeration of said commission and its employes, and repealing all acts and parts of acts inconsistent therewith.

Referred to the Committee on State Government.

By Messrs. McMILLEN and KOWALSKI.

HOUSE BILL NO. 1104.

An act to amend the title, the table of contents and certain sections of the act, approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereo; providing for the licensing and registration of airmen and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space; providing for lawfulness of flights; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws, by conferring certain powers and imposing certain duties heretofore exercised and performed by the Department of Revenue upon the Pennsylvania Aeronautics Commission.

Referred to the Committee on State Government.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. LLOYD H. WOOD, GOODWIN and KOLANKIEWICZ. (Concurrent) (Not Printed)

In the House of Representatives, April 19th, 1943.

The success of the celebration of the bi-centennial of the birth of Thomas Jefferson held on Wednesday, April 14th, in the Hall of the House of Representatives at a joint session of the Senate and House of Representatives, was due to those who appeared on the program.

That it was a success, is attested by the things that have been said about it since the termination of the meeting.

His Excellency, the Governor, again assumed his new role as State orator, and again delighted his audience with the charm and sincerity of his delivery, and the interesting nature of his discourse, and Dr. Robert L. Johnson, President of Temple University, brought to his audience a new conception of the third President of the United States.

These addresses, however, were the parts of the arranged program that were expected to be worth hearing, and it was that expectation which accounted for the large number of persons attending. It is needless to say that no one was disappointed.

It was, however, the speeches made by the two school boys of the Commonwealth, James M. Gammon, a junior at the West View High School, and Francis E. Zabkar, a student at Pennsylvania State College, that surprised and amazed and delighted every person fortunate enough to have attended the celebration.

Each held his audience by the substance of his discourse and the skill of his delivery, and won the applause and commendation of every one in attendance; therefore be it

Resolved (if the Senate concurs), That this General Assembly is most grateful to His Excellency, the Governor, to Dr. Johnson, and to the young men who contributed so much to the success of the celebration, and to them it hereby extends its thanks, and its assurance of deep appreciation of their contribution; and be it further

Resolved, That, in evidence of that gratitude and appreciation, the Chief Clerk of the House is hereby directed to send a copy of this resolution to His Excellency, the Governor, to Dr. Robert L. Johnson, and also to James M. Gammon and Francis E. Zabkar.

Referred to the Committee on Rules.

REPORTS FROM COMMITTEES

Mr. GARBER from the Committee on Counties reported as committed House Bill No. 133, entitled:

An Act to repeal the act approved the twenty-first day of March, one thousand nine hundred twenty-nine, (P. L. 34), entitled "An act authorizing judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers, typists and clerks to facilitate the business of the courts, and to provide for the payment of their compensation by the county, and validating former employments and payments therefor."

Mr. O'BRIEN from the Committee on Appropriations reported as committed House Bill No. 245 entitled:

An Act making an appropriation to the Department of Welfare for use by the State Council for the Blind in supplying home instruction for adult blind persons.

Mr. IMBRIE from the Committee on Appropriations reported as committed House Bill No. 277 entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County, Pennsylvania.

Mr. STOCKHAM from the Committee on Judiciary General reported as committed House Bill No. 387 entitled:

An Act relieving drivers of motor vehicles owned or used by volunteer fire companies from personal liability for damages to persons or property resulting from the operation of such vehicles in going to, attending or returning from fires or while engaged in other proper uses.

Mr. BOWER from the Committee on Appropriations reported as committed, House Bill No. 491, entitled:

An Act making an appropriation to the Department of highways out of the Motor License Fund, for the purpose of rebuilding county bridges carried away or destroyed by fire, flood or other casualty, and of carrying out the provisions of existing laws relating thereto.

Mr. McCLESTER from the Committee on Counties reported as committed, House Bill No. 557, entitled:

An Act to add clause (m) to section two hundred four of the act approved the twenty-second day of May, one thousand nine hundred thirty-three, (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to an exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising, and consolidating the law relating thereto; and repealing existing laws," providing further exemptions from taxation; and making the provisions for exemptions applicable to institution district taxes.

Mr. YEAKEL, from the Committee on Ways and Means, reported as committed, House Bill No. 727, entitled

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further limiting the application of the section.

Mr. KLINE, from the Committee on Insurance, reported as committed, House Bill No. 900, entitled

An Act to further amend subsection A of section six hundred eighty-five of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," defining the specific powers and financial requirements of title insurance companies, and providing for the regulation and supervision thereof; prohibiting the guaranteeing of mortgages by such companies; providing for reserves, and limiting the amount of liability permissible under policies of title insurance for a single transaction, by further defining and enlarging the powers of title insurance companies which have reliquished any right or power to accept or receive deposits or otherwise engage in a banking business or to act as trustee, guardian, executor, administrator or in any similar fiduciary capacity.

Mr. IMBRIE, from the Committee on Judiciary General, reported as committed, House Bill No. 904, entitled:

An Act exempting beauty and barber shop furniture, mechanical appliances and equipment, leased, hired or conditionally sold, from levy and sale on execution or distress for rent, under certain conditions.

Mr. VAN ALLSBURG, from the Committee on Appropriations, reported as Committed, House Bill No. 931, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-four and one thousand nine hundred forty-five, permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions, and providing for the method of payment to townships.

Mr. HARE, from the Committee on Education, reported as committed, House Bill No. 933, entitled:

An Act to amend clauses two, five, six, seven, eight and nineteen of section twelve hundred ten of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same; and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" fixing the minimum annual salary and increments of members of the teaching and supervisory staff in all school districts and of county and assistant county superintendents, increasing the percentage of state-aid for districts and providing additional state-aid through an equalization fund created by this act, to be maintained from state appropriations.

Mr. MUIR, from the Committee on Appropriations, reported as committed, House Bill No. 948, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

Mr. LEYDIC, from the Committee on Appropriations, reported as committed, House Bill No. 950, entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing, and for the purpose of matching additional federal funds.

Mr. McKINNEY, from the Committee on Appropriations, reported as committed, House Bill No. 952, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

Mr. NORMAN WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 953, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Reirement System with respect to State employes receiving compensation from the Motor License Fund.

Mr. BRETHERICK from the Committee on Appropriations reported as committed, House Bill No. 955, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

Mr. FLEMING from the Committee on Appropriations reported as committed, House Bill No. 959, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

Mr. LLOYD H. WOOD from the Committee on Appropriations reported as committed, House Bill No. 962, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

Mr. SOLLENBERGER from the Committee on Appropriations reported as committed, House Bill No. 963, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by the Pennsylvania State College with The General State Authority for the use and occupancy by such college of the various projects, structures buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

Mr. O'DARE from the Committee on Appropriations reported as committed, House Bill No. 965, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

Mr. IMBRIE from the Committee on Appropriations reported as committed, House Bill No. 966, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Fish Fund.

Mr. WALTER E. ROSE from the Committee on Appropriations reported as committed, House Bill No. 969, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loans and Transfer Agent of the Commonwealth.

Mr. DALRYMPLE from the Committee on Appropriations reported as committed, House Bill No. 970, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented.

Mr. BOWER from the Committee on Appropriations reported as committed, House Bill No. 971, entitled:

An Act making an appropriation to The General State Authority to defray the costs and expenses of the said Authority in connection with the organization, administration and operation thereof.

Mr. CORDIER from the Committee on Appropriations reported as committed, House Bill No. 977, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

Mr. KOWALSKI from the Committee on Appropriations reported as committed, House Bill No. 978, entitled:

An Act making an appropriation to the Department of Forests and Waters for the repair, reconstruction of a dam across the Lehigh River at Easton, Northampton County, and dredging in the Lehigh River and the entrance of the Delaware Division Canal.

Mr. TAYLOR from the Committee on Appropriations reported as committed, House Bill No. 979, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

Mr. TAHL from the Committee on Appropriations reported as committed, House Bill No. 980, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

Mr. IMBRIE from the Committee on Judiciary General reported as committed, House Bill No. 1021, entitled:

An Act to amend section one of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 403), entitled "An act relating to the form, execution, revocation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto, and to the fees therefor," authorizing certain minors to dispose of their real and personal estate by will.

Mr. SORG from the Committee on Ways and Means reported as committed, House Bill No. 1097, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by establishing a manufacturing exemption with regard to the capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies.

Mr. McATEE from the Committee on Education reported as committed, Senate Bill No. 69, entitled:

A Supplement to the act, approved the eleventh day of May, one thousand nine hundred and five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," authorizing the Thaddeus Stevens Industrial School to collect fees for board and tuition from certain special students.

Mr. HOFFMAN from the Committee on Ways and Means, reported as committed, Senate Bill No. 341, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales of stock, and upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations, copartnership associations, and joint-stock associations; providing the manner of collecting such tax and prescribing penalties," by further extending the exemptions from the tax imposed by the said act.

Mr. ROYER from the Committee on Motor Vehicles, reported as committed, Senate Bill No. 506, entitled:

An Act to further amend section one thousand thirty-three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley, omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; provdiing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," extending the provisions of such section for a further period of two years.

Mr. ALSPACH from the Committee on Judiciary General, reported as amended, House Bill No. 516, entitled:

An Act to provide protection to estates, interests, funds, and property rights of minors, mental incompetents and absentees secured or to be secured by individual surety or sureties in courts of record, or proceedings therein by specifying the requirements fo such suretyship, the qualifications of such sureties and imposing liens upon the collateral realty involved as well as providing for the revival thereof, for execution thereon, and for the release, discharge or satisfaction thereof.

Mr. BRETHERICK from the Committee on Judiciary General reported as amended, House Bill No. 517, entitled:

An Act to further amend section one of the act, approved the twenty-eighth day of June, one thousand nine hundred and seventeen (P. L. 645), entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name, style, or designation, unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary; requiring county commissioners at the expense of the county to provide books for the entry of such certificates; fixing the fees of the Secretary of the Commonwealth and prothonotary; and providing penalties," by requiring notice of intention to file such certificates to be given by advertisement and the filing of proofs of such publication.

Mr. ALSPACH from the Committee on Judiciary General reported as amended, House Bill No. 640, entitled:

An Act requiring the names of all signers and witnesses to be printed or typewritten below their signatures on certain documents and other written instruments entitled to be recorded or filed; and prohibiting the recording or filing thereof for failure to comply with such requirement.

Mr. LEE from the Committee on Education reported as amended, House Bill No. 868, entitled:

An Act to amend clause two of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by further providing for the minimum salaries and increments of members of the teaching and supervisory staff in school districts of the first class.

Mr. STOCKHAM from the Committee on Appropriations, reported as amended, House Bill No. 924, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of reconstructing and maintaining dikes along Darby Creek in Tinicum and Darby Townships, Delaware County and in Philadelphia.

Mr. KENNEDY from the Committee on Counties, reported as amended, House Bill No. 1019, entitled:

An Act to add Section 233.2 to the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto" authorizing the registers of wills to appoint a solicitor, and providing for his salary.

Mr. McKINNEY from the Committee on Appropriations, reported as committed, House Resolution No. 55.

Mr. BRETHERICK from the Committee on Appropriations, re-reported as committed, House Bill No. 489, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to purchase a certain property within the area of the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg; providing for the development of the said property; and making an appropriation.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 462

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 462, Printer's No. 140, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. CHARLES H. BRUNNER, JR. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. McKINNEY. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Montgomery, Mr. Brunner, vote on the final passage of this bill?

Mr. CHARLES H. BRUNNER, JR. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Venango, Mr. McKinney, vote on the final passage of this bill?

Mr. McKINNEY. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. CHARLES H. BRUNNER, JR. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. CHARLES H. BRUNNER, JR. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 7 of title, by inserting after the word "without" the words "renewal of."

Amend title, page 1, lines 7 and 8 of title, by striking out the words "or motor vehicle registrations."

Amend sec. 1, page 3, by inserting between lines 2 and 3, the following: "(6) His or her previous operators license has not been revoked or suspended, unless, in case of suspensions, the period of suspension has expired."

Amend sec. 2, page 3, lines 5 and 6, by striking out the words "and for a period of one year after the termination thereof."

Amend sec. 2, page 3, line 11, by inserting after the word "service" the following: "which license has not been revoked or suspended."

Amend sec. 2, page 3, line 12, by inserting after the word "Commonwealth" the following: "while in this Commonwealth on leave or furlough or for any other reason."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 644

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 644, Printer's No. 162, for the purpose of further consideration.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. ROYER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. MUIR. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Lancaster, Mr. Royer, vote on the final passage of this bill?

Mr. ROYER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Warren, Mr. Muir, vote on the final passage of this bill?

Mr. MUIR. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. ROYER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. ROYER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 1 (Sec. 610), page 4, line 16, by inserting after the word "act" the following: "No such permit shall be issued for the movement of such equipment or machinery for a distance greater than one-half mile."

Amend sec. 1 (Sec. 610), page 4, line 25, by inserting lightface brackets before and after the word "and."

Amend sec. 1 (Sec. 610), page 4, line 27, by inserting after the word "trailer" the following: "and shall be revokable at any time at the discretion of the official who issued the same."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

The Clerk of the Senate, Mr. McGroerty, being introduced, presented the following extracts from the Journal of the Senate:

Senate bills for concurrence Nos. 305, 443, 518, 529.

House bills with amendments Nos. 155, 363, 390.

House bills without amendment Nos. 421, 817, 818, 819, 820, 824, 826, 829, 831, 833, 889.

Amended House Bill recalled from the Governor concurred in by Senate No. 373.

Amended Senate Bill recalled from the Governor returned for concurrence No. 135.

Senate adopted Conference Committee report on Senate Bill No. 133.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 817.

An Act to amend the title and the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2420) entitled "An act fixing the hours of rest each calendar week and the vacation period of members of the Pennsylvania Motor Police Motor Police and Patrolmen and Guards in State Parks" by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police

HOUSE BILL No. 421.

An Act to add section ten to the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" authorizing townships to make appropriations for said purposes

HOUSE BILL No. 889.

An Act to amend section eight of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by changing the name State Highway Patrolmen to Pennsylvania State Police

HOUSE BILL No. 833.

An Act to further amend the title and the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 414) entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania Motor Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties" by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act

HOUSE BILL No. 831.

An Act to amend the title and certain sections of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 660) entitled "An act providing for the return of escaped prisoners and convicts after apprehension to the penitentiary or state institution from which they escape by the agents of the Department of Justice or the Pennsylvania Motor Police and requiring the penitentiary or state institution to defray the expenses thereof" by changing the name Pennsylvania Motor Police to Pennsylvania State Police

HOUSE BILL No. 829.

An Act to amend the title and sections four five six and eight of the act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled "A supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) as amended entitled 'An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties'" by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System and the name Pennsylvania Motor Police to Pennsylvania State Police

HOUSE BILL No. 826.

An Act to further amend sections eight hundred and twenty-three (i) and (j) and one thousand two hundred and eleven of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended by changing the name Pennsylvania Motor Police to Pennsylvania State Police

HOUSE BILL No. 824.

An Act to further amend certain sections of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as reenacted and amended by making the moneys in the Motor License Fund available to the Pennsylvania State Police to defray the expenses required by such agency in the proper conduct of part of its work

HOUSE BILL No. 820.

An Act to amend the title and certain sections of the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled "An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by changing the name of the Pennsylvania Motor Police Retirement System to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police and conforming said act to existing law

HOUSE BILL No. 819.

An Act to further amend the title and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1314) entitled as amended "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth prescribing the qualifications for admission of such persons to such school providing for the payment of certain costs by such students conferring certain powers upon the Pennsylvania Motor Police and making an appropriation" by imposing upon the Pennsylvania State Police the duties formerly imposed upon the Pennsylvania Motor Police

HOUSE BILL No. 818.

An Act to amend sections one two and four of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 494) entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescribing the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies" by changing the name Pennsylvania Motor Police to Pennsylvania State Police

With information that Senate has passed same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 373.

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances anl legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the definition of "dealer" providing for the issuance and use of temporary registration cards and temporary registration plates or markers and prescribing penalties

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in which amendments the Senate has concurred.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

VETO OF HOUSE RESOLUTION RECALLING HOUSE BILL No. 105

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 16, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I return herewith, without my approval, Resolution of April 15, 1943, recalling for the purpose of amendment House Bill No. 105, Printer's No. 62, entitled "An act to reenact and amend the title of and the act approved the first day of July one thousand nine hundred and thirty-seven (Pamphlet Laws two thousand six hundred eleven) entitled 'An act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions' extending the provisions of said act so that judgments held by such political subdivisions and the costs and interest accrued thereon may be set-off against claims and accounts owing by the political subdivisions."

I had already approved House Bill No. 105 before this recall resolution reached me, with the result that House Bill No. 105 had become a law. Under the circumstances it would be legally impossible for me to return the bill to the General Assembly pursuant to the recall resolution.

For this reason the resolution is not approved.

EDWARD MARTIN.

BILL AND COMMUNICATION LAID ON TABLE

Mr. BENTLEY. Mr. Speaker, I move that the bill together with the communication from the Governor be laid on the table.

The motion was agreed to.

BILLS READ AT LENGTH

Mr. MODELL. Mr. Speaker, in accordance with the Constitution of Pennsylvania I ask that all bills be read at length.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 944, entitled:

An Act to further amend the first paragraph of section nine of the act, approved the twelfth day of July, one thousand nine hundred thirteen (P. L. 711), entitled "An act establishing a court for the county of Philadelphia; prescribing its jurisdiction and powers; providing for the service of its writs, process, or warrants by the proper officers of the county or city of Philadelphia; regulating the procedure therein, and appeals therefrom, and providing for the expenses thereof," by providing for the appointment of a director of probation and other employes, and providing for the fixing of their salaries.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 281, entitled:

An Act to amend section one of the act approved the eleventh day of May one thousand eight hundred ninety-three (P. L. 42) entitled "An act to authorize corporations organized for profit under the laws of Pennsylvania to make allowances or pensions to employes for faithful and long continued service who in such service have become old infirm or disabled" authorizing certain corporations to make allowances or pensions to officers or employes.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 296, entitled:

An Act to repeal the act approved the twenty-seventh day of June one thousand nine hundred thirteen (P. L. 652) entitled "An act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers, in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof; providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania, Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities; providing for the creation of a canal board to have charge of said work; prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on; providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred; providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances; imposing certain duties upon the Auditor General and State Treasurer; authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor; and making an appropriation for carrying out certain provisions of this act" as amended by the act of the seventeenth day of June one thousand nine hundred fifteen (P. L. 990).

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 835, entitled:

An Act to further amend section ten of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-one (P. L. 149), entitled "An act imposing a State tax, payable as those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," appropriating one-half cent per gallon of said tax for the maintenance, construction, reconstruction, resurfacing and improvement of certain roads, streets and bridges in certain political subdivisions.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 20, entitled:

An Act to amend sections nine hundred twenty-two and nine hundred seventy-nine of the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," providing for nominations where successful candidates have died before or on the day of the primary.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 407, entitled:

An Act to amend section three of the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (P. L. 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," providing for the waiving of the requirement for the holding of meetings by societies under certain conditions.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 341, entitled:

An Act abating the penalties and interest on certain unpaid delinquent county city borough town township school district poor district and county institution district taxes and on municipal liens and providing for the publication at the cost of the county of a notice of the provisions of this act

The first section was read.

On the question,

Will the House agree to the section?

Mr. KITCHEN offered the following amendments.

Amend Sec. 1, page 1, line 7, by striking out the words "without the necessity of further action by."

Amend Sec. 1, page 2, line 1, by striking out the words "the authority levying the tax."

Amend Sec. 1, page 2, line 2, by inserting after the word "provided" the following: "if the authority levying the tax shall have notified the county treasurer within thirty days after this act becomes effective, that the taxing authority has accepted by a majority vote the provisions of this act."

They were agreed to.

The section was agreed to as amended.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 358, entitled:

An Act to amend section one thousand one hundred fifty six of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the regulation of encroachments on township highways and the issuing of permits therefor by the township supervisors instead of by the Department of Highways of the Commonwealth and for the payment of permit fees into the township treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 48, Printer's No. 163,

Senate Bill No. 49, Printer's No. 164,

were passed over at the request of the SPEAKER.

Agreeably to order.

The House proceeded to the second reading and consideration of Senate Bill No. 240, entitled:

An Act to further amend section eleven of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-five (P. L. 644), entitled "An act relating to and regulating the solicitation of moneys and property for charitable, religious, benevolent, humane, and patriotic purposes," by exempting alumni or alumnae associations from the provisions of the act in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 347, entitled:

An Act to add section six hundred seventeen and one-tenth to the act approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," providing for special operators' licenses after suspension for persons required to operate motor vehicles in course of employment.

The first section was read.

On the question,

Will the House agree to the section?

Mr. WALTER E. ROSE offered the following amendments.

Amend Sec. 1 (Sec. 617.1), page 3, line 12, by striking out the word "Operator's" and inserting in lieu thereof: "Operators' ".

Amend Sec. 1 (Sec. 617.1), page 3, line 13, by striking out "Nothwithstanding" and inserting in lieu thereof: "Notwithstanding".

Amend Sec. 1 (Sec. 617.1), page 3, line 16, by striking out "physicial" and inserting in lieu thereof: "physical".

Amend Sec. 1 (Sec. 617.1), page 3, line 18, by striking out "commerical" and inserting in lieu thereof: "commercial".

Amend Sec. 1 (Sec. 617.1), page 3, line 24, by striking out "commerical" and inserting in lieu thereof: "commercial".

Amend Sec. 1 (Sec. 617.1), page 4, line 13, by striking out the word "operator's" and inserting in lieu thereof: "operators' ".

They were agreed to.

The section was agreed to as amended.

The second to the twelfth sections inclusive and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 202, entitled:

An Act to further amend paragraph (a) of section four of the act approved the first day of June, one thousand nine hundred thirty-seven (P. L. 1168), entitled "An act to protect the right of employes to organize and bargain collectively; creating the Pennsylvania Labor Relations Board; conferring powers and imposing duties upon the Pennsylvania Labor Relations Board, officers of the State government, and courts; providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the board to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the board to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the board to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the board by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the Supreme Court; providing the board with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through application to the proper court; providing for service of papers and process of the board; prescribing certain penalties," by making further change in the qualifications of members of the Pennsylvania Labor Relations Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for third reading.

BILL PASSED OVER

There being no objection Senate Bill No. 238, Printer's No. 176, was passed over at the request of the SPEAKER.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 295, entitled:

An Act to further amend section two hundred fifty-four of the act approved the second day of May, one thousand nine hundred twenty-five, (P. L. 448), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by authorizing the Board of Fish Commissioners to close streams, or parts thereof, for a certain period after stocking the same.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 298, entitled:

An Act providing for and regulating the accumulation, investment and expenditure by counties, cities, boroughs, incorporated towns and townships, of funds for post war projects.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 37, entitled:

An Act to amend section five hundred forty of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" further regulating the adjustment of indebtedness where part of a township is annexed to a city of the third class.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 39, entitled:

An Act to amend section seven hundred seventeen of the act aproved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" further regulating the adjustment of liabilities and property where part of a township is annexed to a borough.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 585, entitled:

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act supplementary to an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty" by fixing the time for the commencement and prosecution of indictments for felonies committed by certain persons.

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of House Bill No. 1039, entitled:

An Act to further amend section five hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (Pamphlet Laws 103) entitled "An act concernig townships of the second class and amending revising consolidating and changing the law relating thereto" by further regulating publication of the auditors' report

And said bill having been read at length the second time and agreed to
Ordered, To be transcribed for third reading.

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 272 entitled

An Act to apportion the Commonwealth of Pennsylvania into congressional districts

The first section was read.
On the question
Will the House agree to the section?
Messrs. BENTLEY, TATE and LEVY offered amendments:
The amendments offered by Mr. Bentley were read as follows:

Amend sec. 1, page 4, lines 5 to 29 both inclusive, by striking out all of said lines.
Amend sec. 1, page 5, lines 1 to 20 both inclusive, by striking out all of said lines and inserting in lieu thereof the following:
"The twenty-ninth district shall consist of the twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth and twenty-seventh wards of the city of Pittsburgh, the boroughs of Aspinwall, Avalon, Bellevue, Ben Avon, Ben Avon Heights, Blawnox, Bradford Woods, Edgeworth, Emsworth, Etna, Fox Chapel, Glenfield, Haysville, Leetsdale, Millvale, Osborne, Sewickley, Sewickley Heights, Sharpsburg and West View in the county of Allegheny, and the townships of Aleppo, Franklin, Hampton, Harmar, Indiana, Kilbuck, Leet, Marshall, McCandless, O'Hara, Ohio, Pine, Reserve, Richland, Ross, Sewickley, Sewickley Heights, Shaler, and West Deer in the county of Allegheny.
The thirtieth district shall consist of the city of McKeesport in the county of Allegheny, the boroughs of Brackenridge, Braddock, Chalfant, Cheswick, Churchill, East McKeesport, East Pittsburgh, Edgewood, Elizabeth, Forest Hills, Glassport, Liberty, North Braddock, Oakmont, Pitcairn, Port Vue, Rankin, Springdale, Swissvale, Tarentum, Trafford (1st Dist. Only), Turtle Creek, Verona, Versailles, Wall, Wilkinsburg and Wilmerding, in the county of Allegheny, and the townships of Braddock, East Deer, Elizabeth, Fawn, Forward, Frazer, Harrison, Lincoln, North Versailles, Patton, Penn, Plum, South Versailles, Springdale, Versailles and Wilkins in the county of Allegheny.

The thirty-first district shall consist of the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth and thirteenth wards of the city of Pittsburg, in the county of Allegheny.

The thirty-second district shall consist of the fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-eighth, twenty-ninth, thirtieth, thirty-first and thirty-second wards of the city of Pittsburgh, the boroughs of Brentwood and Mt. Oliver in the county of Allegheny, and the township of Baldwin in the county of Allegheny.

The thirty-third district shall consist of the cities of Clairton and Duquesne in the county of Allegheny, the boroughs of Bridgeville, Carnegie, Castle Shannon, Coraopolis, Crafton, Dormont, Dravosburg, Greentree, Heidelberg, Homestead, Ingram, Munhall, McKees Rocks, McDonald (5th Dist. Only), Oakdale, Rosslyn Farms, Thornburg, West Elizabeth, West Homestead and Whitaker in the county of Allegheny, and the townships of Bethel, Collier, Crescent, Findley, Jefferson, Kennedy, Mifflin, Moon, Mt. Lebanon, Neville, North Fayette, Robinson, Scott, Snowden, South Fayette, Stowe and Upper St. Clair in the county of Allegheny.

On the question,

Will the House agree to the amendment?

Mr. BENTLEY. Mr. Speaker, this is one of the important bills of this session. The amendments offered refer to Senate Bill No. 272, Printer's No. 245, on page 12 of today's calendar, the Congressional Reapportionment Bill. I have offered amendments, Mr. Speaker, to this bill which affect only the County of Allegheny, but it will be necessary to discuss the entire bill in its present form, at least that section of it in its present form which refers to Allegheny County.

I might say to the members of the House that very shortly after Governor Martin was elected he gave a statement to the press of the state in which he said that one of his first orders of business for the Legislature of 1943 would be the reapportionment of the state. I relied upon that statement of the Governor, and I addressed to him a letter in which I pointed out that as a minority Member from the western part of the State, I thoroughly agreed that there should be a legislative reapportionment, and I held myself out as willing to serve on any committee on reapportionment the Governor proposed for this Legislature. I received from the Governor a letter in which he thanked me for my offer and he stated in that letter that reapportionment must have our best efforts. Further than that he said nothing, and so far as I know he has appointed no committee to study reapportionment. Certainly I have heard nothing of it, particularly congressional reapportionment, until Senate Bill 272 appeared on the calendar last week, and which is now before this House. I suppose that Senate Bill 272 is what the Governor meant when he said that reapportionment must have our best efforts. If so, I must take issue with him. It is a poor best and a worse effort.

Senate Bill 272, and I will confine myself to its effect on Allegheny County, because that principally is where I think the old game of gerrymandering is played, that is, Senate Bill 272 as it affects Allegheny County has this result: Allegheny County is the stronghold of democracy in this state. There is in that county a majority in the registration of the Democratic party of 100,000 votes. If Senate Bill 272 is permitted to pass in its present form, and the amendments that I have offered are rejected, the result is going to be that that county with its great Democratic majority is going to return a minority representation of the people to the Congress of the United States. That is not reapportionment, that cannot be justified under the Constitution of the state, it cannot be justified in any manner whatsoever.

How does Senate Bill 272 in its present form accomplish the result of making a majority look like a minority? It is done by the old trick of gerrymandering. The bill in its present form creates a large and strong Democratic district in the center of the city, which dissipates, if you please, the votes of over 40,000 Democrats in that district in which no Republican can ever win.

It is done on the theory that one vote can win an election, and if one vote can win an election, let us put all that Democratic strength of forty or fifty thousand votes in one district and draw that strength from other districts. It is done by the most outrageous piece of gerrymandering that is possible.

In creating the thirty-second district, which is a district composed of the city wards of the City of Pittsburgh, the draftsman of the Senate Bill 272 has jumped across both the Allegheny and the Monongahela Rivers and drawn in strong Democratic wards, piling them on where they have no proper place geographically or on any other basis.

In the thirty-second district, and under the bill as it is now drawn the draftsman has gone across the Allegheny River and in part across the Ohio River and added to the central part of the city the twenty-second, the twenty-third and twenty-fourth wards of the North Side. Then, not satisfied with jumping those two rivers, they have reached out across the Monongahela River and drawn into this strong Democratic district the sixteenth, the seventeenth, and fifteenth wards of the city.

I have heard some discussion trying to justify such a procedure. The bill is supposed to have been drawn by an unbiased draftsman. He happens to have been an old school professor of mine, but I am very much afraid that the gentleman is being used. He is not the man he was in the days when he taught me at school,—or perhaps he is a better man, but he has done a terrible job on this bill. At any rate the bill is justified, in his opinion, because it is argued that there has been in recent years a trend away from the city wards; the people are gradually moving away. He justifies making this strong Democratic ward, not satisfied with lumping forty-five or fifty thousand Democratic majority in the thirty-second district, they also make up the largest district by twenty thousand votes approximately, and make it the largest district in all the five districts, thereby further dissipating the majority of the registration.

As I say, it is argued that this is done because there has been a trend away from the city wards, and it is anticipated that in the future that trend will be continued, but when I asked the draftsman of the bill if he expected twenty thousand people to move from this district, I had no answer. Census figures cannot justify creating this district all out of proportion, making it twenty thousand votes larger on that basis. No past trend will justify the prediction that there will be a removal from this district of twenty thousand votes in the next ten years.

The bill is further justified by its sponsor, and I assume by those who support it, on the ground that it has a tendency to create a homogeneous district. In other words, as it was explained, it was said that this district grouped together suburbanites, and another section of the county will group those largely interested in agricultural pursuits. Of course the city dwellers are grouped together in the thirty-second district. That is not the basis on which this country was founded. It was never intended that class be set against class, suburbanites against city dwellers, and farmers against manufacturing districts. That is one of the vices in this bill. It was described in the Senate as the Jim Crow bill, and I so describe it here, and also further describe it as one designed to pit class against class, and that has no place in an apportionment bill.

Mr. Speaker, I wish to point out again that the result that will come from this bill is this. Here we have a county, the second greatest county in the Commonwealth, which sends five representatives to the Congress of the United States. On registration alone and on the results of the votes for the past ten years, that county is a Democratic county and it will stay such. But this bill has the result of letting a Democratic county return Republican majorities to Congress. I charge, Mr. Speaker, that it is a part of a nation wide scheme to gerrymander out of the halls of Congress Congressmen who supported the President, and return in their place isolationist Congressmen who could not be elected, but who are now to be gerrymandered into office.

More will be said on that on the third reading of this bill. I want to talk now on the amendments by which I propose to rectify this outrageous condition offered in Senate Bill 272. In the amendments offered there are created the same five districts created by the Senate Bill now before us. As I said when I began, it has been my personal desire that the state be reapportioned, not particularly on the Congressional districts, because that was done only two years ago—and let us not be charged in the Democratic party that the reapportionment of a year ago was solely our doing. I need not remind the Speaker and members of this House that at the time the last Congressional Reapportionment Bill was passed there was a Republican Governor, there was a Republican Senate, there was only a Democratic House. And so, if there is no satisfaction today with the Congressional Reapportionment Bill of 1941 then let the Republicans look to their own leaders. They had two-thirds of the votes on the passage of that bill. Another thing that they are not satisfied with particularly, was the result in Allegheny County. I say to the gentlemen from Allegheny county, let them look to their own leaders if they are not satisfied with that bill.

A few nights ago my colleague from Allegheny, Mr. Brown, said to this House that there were two appeals from legislation, one to the courts and one to public opinion. The gentleman didn't go far enough, there is a corollary that he should have added to that, there is one appeal from election laws, and it is to the people; one appeal from congressional district laws, and that is to the people, and there is one way to win an election and that is to get the votes, and that is what they didn't do in Allegheny County.

If they had the majority of registration I would be the first to agree that if Allegheny County were predominantly Republican then the majority of its Congressmen should be and naturally would be Republican, but I cannot stomach this business of a Democratic county by a great margin appearing in the halls of Congress with a majority of its representatives Republican.

To return, Mr. Speaker, to what the amendments offered to Senate Bill 272 will do; they create a city district, because the population in Pittsburgh is so located that there must be a city district, but in that city district not one river is crossed, and I submit that that is proper reapportionment, geographically or on any other basis.

The thirty-second district consists of the area on the south side of the Monongahela River and there it was necessary in the interests of a basic population figure to cross and take two wards into the district. Other than that every district offered in this reapportionment plan is a self-contained, contiguous, compact district.

The population figures of the district compare on an equal basis with those offered in the original Senate bill. The bill is a proper, a fair and a just apportionment of Allegheny County. The membership of this House can do nothing less, it seems, if they propose to vote fairly and equitably on this thing than to accept these amendments.

As I stated when I first rose, I would be willing, and I know that my party would be willing to sit down and work out a fair and just apportionment not only for the county but for the state. We were not granted that privilege, and that in spite of the fact that the Governor in his inaugural address, stood on that podium and said that he was going to sit down and work out a plan that would help to end the war that would allow the parties to work together.

This is not such a plan. The intent of Senate Bill 272 in its present form and unamended, is to wreck the Democratic party in Allegheny county, and it is part of the greater plan to wreck the Democratic party over the nation. That cannot be justified and it never will be justified under the guise of reapportionment.

I ask every Member of the House who is interested in fair, decent apportionment to support the amendments I have offered.

Mr. FLEMING. Mr. Speaker, I rise to oppose the amendments offered by my colleague from Allegheny county, Mr. Bentley. If I didn't know the gentleman so well I would almost believe that he was serious in the talk he just gave you.

When he gets up here and charges us with gerrymandering he certainly should only look back to a year ago to discover what he and his party did to the Republicans in Allegheny county. That was one of the worst pieces of gerrymandering that was ever done. They took the Congressional District in which I live, crossed over into the Strip District of the city of Pittsburgh and added two predominantly Democratic wards to it, to favor the election of one, the present Congressman, but who incidentally would not have been returned to the halls of Congress had they not so carefully gone over there and added the sixth and ninth wards in the city of Pittsburgh to that district.

They go around to the thirty-fourth Congressional District as it was in 1941 and took out the township of Mt. Lebanon and the borough of Dormont, both preponderantly Republican districts, and threw them into Greene and Washington counties. If that is not gerrymandering in its worst form I would like to hear someone describe it.

On the other hand, Mr. Speaker, I don't want to take up the time of the House, but this reapportionment as it affects Allegheny county is a fair and just reapportionment. The districts are fair, compact and contiguous, and with a population to be represented as nearly equal as it is possible to make. I believe great care has been given by the sponsor of these amendments in the Senate in their preparation. I believe he has done the best job it is possible to do, and I would therefore, Mr. Speaker, urge upon you that you vote down these amendments offered by the gentleman from Allegheny, Mr. Bentley.

Mr. BENTLEY. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Fleming.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. FLEMING. I shall, Mr. Speaker.

Mr. BENTLEY. Has the gentleman from Allegheny read the amendments offered by myself, Mr. Speaker?

Mr. FLEMING. Mr. Speaker, I went over them as carefully as I could. It would seem to me that the districts are returned to the places that they were in in 1941; is that not correct?

Mr. BENTLEY. No, Mr. Speaker, that is not correct.

Mr. FLEMING. Well, Mr. Speaker, as I say, I could not go over them in much detail.

Mr. BENTLEY. Is it not true, Mr. Speaker, that the sixth and ninth wards of which he complained are now returned to the thirty-first district?

Mr. FLEMING. I am aware of that, yes, Mr. Speaker, That is where they should have stayed all these years.

Mr. BENTLEY. I suggest to the gentleman then, Mr. Speaker, that there should be no complaint as to the sixth and ninth wards. I would also ask the gentleman if he knows of any manner in which an apportionment bill can be passed by a Democratic House of Representatives and a Republican Senate and a Republican Governor without the concurrence of the Republican Governor and the Republican Senate?

Mr. FLEMING. I would like to answer any question that the gentleman puts before me, but that certainly is not the question before the House. I think the gentleman knows as well as I do the answer.

Mr. BENTLEY. I thank the gentleman from Allegheny.

I will answer that question, Mr. Speaker. There is no manner in which a law can be passed in this Commonwealth unless it is passed by the House, by the Senate and approved by the Governor, and when the gentleman charged the Democratic party with gerrymandering, I do not admit it for a second, but I ask him, how does he reconcile the Republican Governor and the Republican Senate? It can't be done. That is not the case here today. By accusing us of gerrymandering, and thereby implying that this bill is a gerrymandering bill, he adds nothing to the force or the reasons back of Senate Bill 272. He merely says in effect "Today we have not only the Senate and the Governor, we have the House, and we are going to pass it." And it is a gerrymander.

Mr. FLEMING. Mr. Speaker, if I implied that this was a gerrymandering bill on the part of the Republicans I certainly wish that matter cleared up in the minds of any of the Members. I certainly do not wish to imply that. This is far from a gerrymandering piece of legislation. The districts as they are now proposed have been approved by all the civic organizations in the City of Pittsburgh and the County of Allegheny. I only charged that there was gerrymandering in the special session of 1942. In closing, Mr. Speaker, I would say to you and to the Members of the House—I'm quoting Mr. Bentley—that we shall all be judged by public opinion, and I am sure we on this side of the House shall be willing to go before the bar of public opinion and be judged by public opinion.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. Bentley and Mr. Cohen and were as follows:

YEAS—66

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Coleman,
Croop,
Cullen,
Dillon,
Duffy,
Elliott.
Finnerty,
Flynn,
Goodwin,
Grant,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Reynolds,
Rose, S.
Sarraf,
Scanlon,
Schuster,
Snider,
Swope,
Tate,
Thompson,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

NAYS—119

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely.
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring.

Will the House agree to the section?

The amendments offered by Mr. TATE were read as follows:

Amend Section 1, Page 1 by striking out lines 6 to 11 inclusive.

Amend Section 1, Page 2 by striking out lines 1 to 14 inclusive.

Amend Section 1, Page 2 by inserting after line 14 the following: "The first district shall consist of the first, second, third, fourth, fifth, sixth, twenty-sixth, thirty-ninth and forty-eighth wards of the city of Philadelphia and will have one congressman.

The second district shall consist of the seventh, eighth, ninth, tenth, twenty-fourth, twenty-seventh, thirtieth, thirty-sixth and forty-fourth wards of the city of Philadelphia and will have one congressman.

The third district shall consist of the eleventh, twelfth, thirteenth, fourteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-fifth, thirty-first, thirty-seventh and forty-fifth wards of the city of Philadelphia and will have one congressman.

The fourth district shall consist of the fifteenth, twenty-eighth, twenty-ninth, thirty-second, thirty-eighth and forty-seventh wards of the city of Philadelphia and will have one congressman.

The fifth district shall consist of the twenty-third, thirty-third, thirty-fifth, forty-first and forty-third wards of the city of Philadelphia and will have one congressman.

The sixth district shall consist of the thirty-fourth, fortieth, forty-sixth, fifty-first and fifty-second wards of the city of Philadelphia and will have one congressman.

The seventh district shall consist of the twenty-first, twenty-second, forty-second, forty-ninth and fiftieth wards of the city of Philadelphia and will have one congressman.

Amend Section 1, Page 2, line 15 by striking out the word "seventh" and insert in lieu thereof the following "eighth".

Amend Section 1, Page 2 by striking out lines 17 and 18 inclusive.

Amend Section 1, Page 2, line 28 by inserting after the word "Berks" the following "and Lehigh".

Amend Section 1, Page 3, line 7 by inserting after the word "Montgomery" the following: "Bucks".

Amend Section 1, Page 4 by striking out lines 5 to 29 inclusive.

Amend Section 1, Page 5 by striking out lines 1 to 20 inclusive.

Amend Section 1, Page 5 by inserting before line 21 the following: "The twenty-ninth district shall consist of the twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth and twenty-seventh wards of the city of Pittsburgh and all the boroughs and townships lying north of the Ohio and Allegheny Rivers not included in the thirtieth district in the county of Allegheny.

The thirtieth district shall consist of all the boroughs and townships lying between the Allegheny and Monongahela Rivers and the boroughs of Springdale, Cheswick, Brackenridge, Tarentum, the townships of Harrison, Fawn, East Deer, Frazer and Springdale and the city of McKeesport in the county of Allegheny.

The thirty-first district shall consist of the first, second, third, fourth, fifth, sixth, ninth, tenth, eleventh and fifteenth wards of the city of Pittsburgh in the county of Allegheny.

The thirty-second district shall consist of the seventh, eighth, twelfth, thirteenth, fourteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth and twenty-eighth wards of the city of Pittsburgh in the county of Allegheny.

The thirty-third district shall consist of the twenty-ninth, thirtieth, thirty-first and thirty-second wards of the city of Pittsburgh, the cities of Clairton and Duquesne and all the boroughs and townships lying south of the Ohio and Monongahela Rivers in the county of Allegheny.

On the question,

Will the House agree to the amendments?

Mr. TATE. Mr. Speaker, I rise at this time to support the amendments proposed to Senate Bill 272. These amendments were agreed to in the session of 1941 by a committee of Congressmen from both sides from Washington and a committee from the House and Senate. Much study and consideration was given to this legislation at that time, both by the Senate and the House and by the Governor.

Most of you who were here probably recall the controversy that resulted at that time. Those of us on this side who worked so hard for the bill seemed to think that it was about the most equitable and just apportionment which would prevent the election of a Congressman-at-large in Pennsylvania.

On the contrary, the draftsman of Senate Bill 272, so far as it affects the city of Philadelphia virtually rips out two congressmen who have given their all for the war effort, men who have been in the halls of Congress for five terms and four terms respectively, and at the same time they do nothing about the eighteenth district which in 1941 and which will again be known as the Shoestring District, which has a bare population of 215,000, and they do nothing about the so-called Horseshoe District in the northeastern part of the state, which will have a bare population of 215,000.

I recall full well the promises of the Governor in his campaign speeches and in his proposals to the legislature, that he desired an equitable apportionment. It seems to me that the draftsman of this bill and those who are trying to support it are double-crossing the Governor. It may be that there is an agreement between them that he has forgotten about the word "equitable", but it seems to me, Mr. Speaker and Members of the House, that we are not doing right by the people of Pennsylvania in so ripping out the Congressmen in Philadelphia and Allegheny Counties who have done so much for the war effort.

All of you are familiar with the situation in Washington today, where the balance of power lies between 10 and 15 votes. The proponents, of this bill, it seems to me, are deliberately trying to embarrass the President of the United States in his support of the war effort, and would try to make it difficult to make an enduring peace that will follow this war.

Mr. Speaker and Members of the House, I ask you to support my amendments to this bill.

Mr. BRETHERICK. Mr. Speaker, I happen to have been a member of the committee which studied the problem of congressional reapportionment in 1941. The bill which was introduced on this side of the House provided that one congressman was to be taken from the city of Philadelphia. Let me say, please, that we sat for long, tedious hours with the Members on the other side of the House and Members of the opposing party from the Senate, and on at least seven different occasions we offered alternate plans in order to solve the problem. I can say to you that the problems was solved on two or three occasions, but word came from Washington that the plans did not have the approval of the gentlemen in power down there.

All the bill does in its present form is to change the city of Philadelphia and Allegheny County. Every newspaper in the city of Pittsburgh, the Civic Club of Allegheny County, the Allegheny County League of Women Voters and persons who are in favor of civic decency are in favor of the bill in its present form. Let me read to you an editorial which appeared in the Pittsburgh Press. Certainly that paper has never been over-zealous in its efforts to please the Republican party:

> Democratic legislators and politicians are seeing red over the proposed Republican congressional reapportionment bill.
>
> Democratic State Chairman David L. Lawrence charges it is a bill to "gerrymander Democrats out of Congress who voted with Roosevelt on the war program and replace them with Republican isolationists."
>
> It is nothing of the sort. Whatever the bill's defects, it hardly rates as an isolationist plot.
>
> This bill by no means is perfect, but it is a vast

improvement over the present system, and a decided improvement over its original form, as introduced by Republican Floor Leader Weldon B. Heyburn.

It is better than the present arrangement because:

1—It eliminates the lection of a congressman-at-large.

2—It abandons the hybrid arrangement by which one section of Allegheny County is tagged onto Washington County.

3—It reduces the population range of the Allegheny County districts and makes them more compact.

4—It reduces the inordinately large district composed of Armstrong, Cambria, Indiana and Jefferson counties, with a population of nearly 430,000, as compared to a proper population ratio of 300,000.

* * *

The bill continues some present districts which fall far short of the established ratio of 300,000, and it leaves untouched a few districts which run well over the quota.

It probably can stand improvement even in Allegheny County. Two years ago Senator John M. Walker, who principally is responsible for the Allegheny County setup in the Heyburn bill, introduced a measure which balanced off the local districts even better than his present plan.

The Democrats claim the bill will eliminate Democratic congressmen from Allegheny County except in one district, Congressman Eberharter's, in which the registration lists show a Democratic majority of better than 2 to 1. But the Democrats also have a clear majority—on the registration books—in one other district and the figures virtually are a saw-off in the other three districts.

The best apportionment of congressional districts is an apportionment which gives both major parties as even a chance as possible. This bill, so far as four of the five proposed districts in Allegheny County is concerned, accomplishes that aim.

* * *

If the Democrats object to the bill, let them propose corrective amandments and let the Republican majority consider the amendments on their merits. But let's not kill the bill because of something we see under the bed.

As for gerrymandering, the present congressional arrangement, as it applies to Allegheny County, is well gerrymandered—in favor of the Democrats.

Perhaps that is why they hope to kill this bill.

I regret that the two gentlemen on the other side of the House who spoke in favor of these amendments saw fit to muddy the waters for cheap political purposes by insisting that this was an isolationist plot. If ever there was a time for unity that time is now. Such charges are made out of the whole cloth and have nothing whatever to back them up can only result in injuring the war effort. I say to you that this bill and its amendments should be discussed and considered on its merits. There should not be dragged into a controversy regarding a congressional reapportionment bill isolationism or an effort to hurt the President of the United States or any of those issues. This bill should be considered on its merits, the amendments should be considered on their merits, and I ask you to vote down these amendments.

Mr. SAMUEL ROSE. Mr. Speaker, I desire to interrogate the gentleman from Delaware, Mr. Bretherick.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. BRETHERICK. I will, Mr. Speaker.

Mr. SAMUEL ROSE. Mr. Speaker, is the gentleman from Delaware aware of the population increase in Philadelphia County since the last census was taken?

Mr. BRETHERICK. Unfortunately congressional reapportionment is based on the population as shown by the last census, not by recent increase in population. I might say too, that that applies to Delaware County and a great many other counties. Unfortunately those things cannot under the Constitution be given any consideration whatever in arriving at proper reapportionment.

Mr. SAMUEL ROSE. Is the gentleman aware that we have now four hundred thousand additional people in Philadelphia, and they will remain there for the duration of the war and possibly longer?

Mr. BRETHERICK. Mr. Speaker, I have no way of determining whether that is correct, and I do not think that the gentleman from Philadelphia has any way of determining whether that is correct, but unfortunately for him the Constitution provides that reapportionment must be based on the census that is taken every ten years. Whether he likes it or not and whether I like it or not there is nothing we can do about it unless we vitiate the definite provision of the Constitution.

Mr. SAMUEL ROSE. Mr. Speaker, if that is so, is it not true that in the last session the Legislature took that into consideration and passed a congressional reapportionment bill reapportioning the State?

Mr. BRETHERICK. Let me say to the gentleman that in 1942 every newspaper, every civic organization, every organization that believed in decent and orderly government was in favor of a reapportionment bill because they did not want a Congressman to be elected at large. Those people who resided in the rural sections, the outlying sections were fearful that the people in Philadelphia and Allegheny counties might gang up on them, and elect the entire delegation of thirty-three Congressmen and they not get any. For that reason the 1942 bill was passed. It was not a perfect bill or anywhere nearly perfect but that bill was rammed down the throats of the Republican party in order that the Republican party might prevent the election-at-large of the thirty-two Congressmen.

Mr. SAMUEL ROSE. Mr. Speaker, I listened with interest to the professions and desires on behalf of unity as expressed by the gentleman from Delaware, and yet I cannot help but remember that prior to Pearl Harbor the record of the Republican congressional group from Pennsylvania was one that should be condemned. Not one Republican congressman from Pennsylvania voted for any of the preparation measures that our President had asked for. I have been sitting here in this House since we started this session, and I am very sorry to say today that I am not proud of being a Member of the House this session.

The gentleman has talked about the necessity for unity and the necessity of backing up the war effort. We have listened to professions of unity in the House and yet the record in this House for unity has been such—

POINT OF ORDER

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Montgomery will state his point of order.

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker, the gentleman is not speaking on the amendments.

The SPEAKER. The gentleman is not speaking on the amendments. Will the gentleman please confine his remarks to the amendments to Section 1. The point of order is well taken.

Mr. SAMUEL ROSE. Mr. Speaker, after listening to the gentleman from Delaware, Mr. Bretherick, discussing the amendments offered by the gentleman from Philadelphia, I want to bring to the attention of the Members of the House certain points that he brought forth, and to answer them, so that the Members of the House can intelligently vote on these amendments, and Mr. Speaker—

Mr. CHARLES H. BRUNNER, Jr. Mr. Speaker—

The SPEAKER. The Chair has already ruled that the point of order is well taken. Will the gentleman please confine his remarks to the amendments to Section one of the bill?

Mr. SAMUEL ROSE. Mr. Speaker, I think that the amendments offered by the gentleman from Philadelphia, Mr. Tate, are worthy of the consideration of every Member of this House. I was just trying to point out to the Members that we are now engaged in a great war, and as we sit here in these Legislative halls engaged in the most petty political—

The SPEAKER. Will the gentleman please forget about the war. We are debating the question before the House, the amendments to section 1.

Mr. SAMUEL ROSE. Mr. Speaker, I want to call the attention of the Members of this House that in my humble opinion the bill to which Mr. Tate offered amendments is a bill which brings forth petty politics, creating contemptible politics which never should have been brought before us in this wartime session. I say to you, Mr. Speaker, that all those who are interested in forwarding the war effort will forget petty politics and vote for Mr. Tate's amendments.

Mr. BENTLEY. One of the Speakers, Mr. Speaker, who preceded me said that he did not want to take the time of the House on this bill. As I said when I first arose, this is one of the most important bills to be considered by this House, and I do want to take up the time of the House. I feel there is nothing more important before us in this session. The Speaker has allowed a great deal of latitude, and without objection from this side of the House, I might say to Mr. Bretherick and his remarks on this bill. I propose to answer it, and if the gag is going to be put on me, it has been on me many times in this House, and I want the record to show it.

The SPEAKER. When a point of order is raised the Chair has no recourse but to rule on the point of order. The Chair has ruled that the point of order was well taken. Remarks must be confined to the question before the House, which is on the amendments offered by the gentleman from Philadelhia, Mr. Tate.

Mr. BENTLEY. I should like to answer the remarks of the gentleman from Delaware, Mr. Bretherick, which were addressed to those amendments. The gentleman stated in his remarks, and be quoted the newspapers that only two counties are involved in this bill, Allegheny and Philadelphia, that is the reapportionment bill. Senate Bill 272 in its unamended form raises the very serious question as to why the Republican party should offer as a reapportionment bill a bill referring only to two counties. If we are going to have a reapportionment and an an honest to goodness reapportionment let us reapportion the entire state, but that is not what this Senate Bill 272 does; it is what the amendments do.

Senate Bill 272 touches only the two large counties where there is a possibility of reapportioning Democratic Congressman out of Congress.

The gentleman also stated that all Pittsburgh papers were in favor of Senate Bill 272, and then he proceeded to read from the Pittsburgh Press an editorial in which it was very clearly stated that it was not a good bill, not a perfect bill, that there was room for improvement, and that is exactly what we are trying to do with these amendments. We were not afforded the opportunity to sit down as a minority party and give our story. Our only recourse is to come here now on the floor of this House and offer amendments and try to make an honest and just reapportionment bill. The record shows what happens to our efforts; they are voted down on party lines.

The gentleman also says that we muddied the waters when we dragged in isolationism and a united front for the war effort. Mr. Speaker, we didn't bring that in because we wanted to; it was thrown into our faces—

POINT OF ORDER

Mr. AUKER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Blair will state his point of order.

Mr. AUKER. Mr. Speaker, the gentleman is not speaking on the amendments.

Mr. BENTLEY. I certainly am speaking on the amendments, Mr. Speaker.

The SPEAKER. The Chair has tried to be fair and to allow as much latitude as possible. Will the Members of the House please cooperate?

Mr. BENTLEY. I will try to cooperate, Mr. Speaker.

The SPEAKER. The gentleman from Allegheny will proceed and confine his remarks to the question before the House.

Mr. BENTLEY. Mr. Speaker, I take it that this applies to the amendments. We were taxed with the question why we do not offer a plan? Our amendments constitute our plan. I do not suppose that one vote will be swayed—I think the vote on these amendments, just as on the others, will go on party lines, but then let this record speak for itself as to whether this is a just and a fair reapportionment. It is not, it is a political partisan reapportionment bill.

Mr. HEATHERINGTON. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Bretherick.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. BRETHERICK. I will, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, does the gentleman have a copy of Senate Bill 272?

Mr. BRETHERICK. Yes, I do, Mr. Speaker. If I don't, I can get it very easily.

Mr. HEATHERINGTON. On page 1, section 1, Mr. Speaker, from line one to line eleven, would the gentleman mind reading that for us?

Mr. BRETHERICK. I prefer to have the gentleman read it to me, Mr. Speaker.

Mr. HEATHERINGTON. All right, I will. Section 1:

> "For the purpose of electing representatives of the people of Pennsylvania to serve in the House of

> Representatives in the Congress of the United States this State shall be divided into thirty-three districts as follows
>
> The first district shall consist of the first second third fourth twenty-sixth thirtieth thirty-six thirty-ninth and forty-eighth wards of the city of Philadelphia and will have one Congressman.
>
> The second district shall consist of the twenty-seventh thirty-fourth fortieth forty-fourth forty-sixth fifty-first and fifty-second wards of the city of Philadelphia."

Can the gentleman tell me what the population is now in those districts?

Mr. BRETHERICK. Mr. Speaker, if the gentleman will permit me I will yield to the "old Senator" from Philadelphia, who can undoubtedly give you the population of the district inquired about.

Mr. HEATHERINGTON. Does the gentleman mean the Senator in here?

Mr. BRETHERICK. Mr. Speaker, apparently the gentleman has—

The SPEAKER. The gentleman from Allegheny as well as the gentleman from Delaware will please confine their remarks to the amendments offered by the gentleman from Philadelphia, Mr. Tate. That is the only question before this House.

Mr. BRETHERICK. I certainly agree with that, Mr. Speaker. The gentleman wanted to interrogate me and there was no alternative but to answer the questions unless there was a ruling from the Chair, and there was not.

The SPEAKER. The Chair insists that only the question before the House may be debated.

POINT OF ORDER

Mr. SARRAF. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. SARRAF. Mr. Heatherington, Mr. Speaker, is attempting to show that under the Constitution there must be a certain number of people in the respective Congressional districts that the Congressman is elected from, and I know that that portion of the interrogation deals with the amendments and with the bill.

Mr. HEATHERINGTON. Mr. Speaker—

The SPEAKER. The Chair has ruled that the point of order was well taken. The Chair has been trying to confine Members to the question before the House.

Mr. HEATHERINGTON. Mr. Speaker, I asked the gentleman from Delaware, Mr. Bretherick, what the population was in the section of the bill on page one from line one to line eleven.

The SPEAKER. Does the gentleman wish to further interrogate the gentleman from Delaware?

Mr. HEATHERINGTON. I do, Mr. Speaker.

The SPEAKER. Will the gentleman from Delaware Mr. Bretherick permit himself to be interrogated?

Mr. BRETHERICK. I will, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, I again ask the gentleman if he can tell me what the population is in the district that I have just read out of Senate Bill 272?

Mr. BRETHERICK. I think, Mr. Speaker, I very plainly answered the gentleman that I did not know and would yield the floor to the "old Senator" from Philadelphia who will be able to give it to us.

Mr. HEATHERINGTON. Mr. Speaker, I will be glad to have it from the gentleman from Philadelphia if he desires to give me a rough idea of how many people are in that district.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Salus, permit himself to be interrogated?

Mr. SALUS. Mr. Speaker, I will, Mr. Speaker. We have at least fifteen Members from Philadelphia that he could pick from. If he wants to elect me as the one to battle with I can proceed. And if I am the victim I am willing to answer.

The SPEAKER. The Chair understands the gentleman from Allegheny, Mr. Heatherington, wishes to interrogate the gentleman from Philadelphia, Mr. Salus. Will the gentleman from Allegheny proceed.

Mr. HEATHERINGTON. Mr. Speaker, did the gentleman from Philadelphia, Mr. Salus, hear the section that I read to Mr. Bretherick out of Senate Bill 272?

Mr. SALUS. I did, Mr. Speaker.

Mr. HEATHERINGTON. Could the gentleman give me a pretty good idea of the poulation in that district now?

Mr. SALUS. Mr. Speaker, I can give the gentleman an idea so that he may understand the situation. Philadelphia is losing a Congressman and making no complaint as far as the Republican organization is concerned. Each of the seven districts is complying with the quota from the last census and has a population of over three hundred thousand each, and this particular district has over three hundred thousand according to the last census. What the exact number is, I cannot tell the gentleman.

Mr. HEATHERINGTON. The bill provides

> "The first district shall consist of the first, second, third, fourth, twenty-sixth, thirtieth, thirty-sixth, thirty-ninth and fourty-eighth wards of the City of Philadelphia."

Can the gentleman tell me how many people live in that first section of Philadelphia?

Mr. SALUS. More than three hundred thousand, Mr. Speaker.

Mr. HEATHERINGTON. Over three hundred thousand?

Mr. SALUS. Yes, Mr. Speaker.

Mr. HEATHERINGTON. The bill provides,

> "The second district shall consist of the twenty-seventh, thirty-fourth, fortieth, forty-fourth, forty-sixth, fifty-first and fifty-second wards of the City of Philadelphia."

Can the gentleman give me an idea of the population of that district?

Mr. SALUS. That district is larger than the others and is considerably over three hundred thousand.

Mr. HEATHERINGTON. Would the gentleman say four hundred thousand?

Mr. SALUS. There might be four hundred thousand, Mr. Speaker.

Mr. HEATHERINGTON. Would the gentleman say five hundred thousand?

Mr. SALUS. No, there are not five hundred thousand persons there; there is no five hundred thousand district in Philadelphia.

Mr. HEATHERINGTON. The third district shall consist of the fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-fifth, thirty-first and forty-fifth wards of the City of Philadelphia and will have one Congressman.

The SPEAKER. The Chair will read the amendments offered by the gentleman from Philadelphia, Mr. Tate:

> "The third district shall consist of the eleventh, twelfth, thirteenth, fourteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-fifth, thirty-first, thirty-seventh and forty-fifth wards of the City of Philadelphia and will have one Congressman."

The Chair insists that the gentleman confine his remarks and his interrogation to the amendments offered by the gentleman from Philadelphia, Mr. Tate.

Mr. HEATHERINGTON. Mr. Speaker, I am trying to find out here the population in Senate Bill 272 as it is and the population in the district if the amendments are accepted.

The SPEAKER. The only question before this House is on the amendments offered by the gentleman from Philadelphia.

Mr. HEATHERINGTON. "The third district shall consist of the eleventh, twelfth, thirteenth—" is that what you read, Mr. Speaker?

The SPEAKER. Exactly, the amendments of the gentleman from Philadelphia, Mr. Tate.

Mr. HEATHERINGTON. Does that pertain to the bill on page 2, Mr. Speaker, the third district? Are the amendments going to change the bill on page 2, or page 1?

The SPEAKER. The amendments have been read by the clerk for the information of the House. The Chair does not desire to again read the amendments. The Chair only insists that the gentleman confine his remarks to the question.

Mr. HEATHERINGTON. And the question is on the third district of the city of Philadelphia on page 2, and the amendments, is that correct?

The SPEAKER. The consideration of the amendments is the only question before the House.

PARLIAMENTARY INQUIRY

Mr. LOVETT. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Westmoreland will state his question of parliamentary inquiry.

Mr. LOVETT. Mr. Speaker, if the amendments offered by the gentleman from Philadelphia, Mr. Tate, are those portions of the bill on which the gentleman is asking the questions, is the gentleman not in order?

The SPEAKER. The Chair would inform the gentleman from Westmoreland, Mr. Lovett, that he has no recourse other than to enforce the rules of the House. The only question before this House is on the amendments offered by the gentleman from Philadelphia, Mr. Tate.

Mr. LOVETT. Mr. Speaker, does the ruling of the Chair forbid asking questions on amendments that affect the original bill, on the third district?

The SPEAKER. The Chair would again state that the only recourse the Chair has is to endeavor to have each Member to confine his remarks to the question before the House. The Chair is trying to do that. The gentleman from Allegheny, Mr. Heatherington, has the floor.

Mr. HEATHERINGTON. Mr. Speaker, on your ruling, I am trying to find out the difference in the population between Senate Bill 272 as it is and after it is amended. Now, am I right or am I wrong in that?

The SPEAKER. Does the gentleman wish to further interrogate the gentleman from Philadelphia?

Mr. HEATHERINGTON. I do, Mr. Speaker.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Salus, permit himself to be further interrogated?

Mr. SALUS. I will, Mr. Speaker.

Mr. HEATHERINGTON. Mr. Speaker, on page 2 of Senate Bill 272, the amendments are changing the third district. The third district as it is without the amendments reads:

> "The third district shall consist of the fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-fifth, thirty-first and forty-fifth wards of the city of Philadelphia."

Can the gentleman give me an idea of what the population would be in there?

Mr. SALUS. Mr. Speaker, in the reapportionment I think six of the districts are over three hundred thousand population, and one district is in the neighborhood of about two hundred ninety-five thousand. The wards that the gentleman mentioned, the majority of them are small wards, and that is the reason there is such a large number of wards in the one district.

Mr. HEATHERINGTON. Mr. Speaker, that would put you about eight hundred thousand in this district.

Mr. SALUS. That will not put you three hundred fifty thousand in the district. They are most of them small wards, Mr. Speaker.

Mr. HEATHERINGTON. Now, Mr. Speaker, as the bill would be amended it reads:

> "The third district shall consist of the eleventh, twelfth, thirteenth, fourteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-fifth, thirty-first, thirty-sventh and forty-fifth wards of the city of Philadelphia and will have one congressman."

Could the gentleman give me an idea under these amendments how many people would be in that district?

Mr. SALUS. The only addition there, Mr. Speaker, I think is the thirty-seventh ward, and I still think there is no district in the redistricting that will have over three hundred fifty thousand votes. In other words, as I understand it, they have tried to keep within the Constitutional provision of three hundred thousand votes on the last compilation of the voters in Philadelphia.

Mr. HEATHERINGTON. That will put three hundred thousand approximately in the third district, is that right?

Mr. SALUS. Yes, just a few short of three hundred thousand. When they divided them up there was one district that was a little short of the three hundred thousand.

Mr. HEATHERINGTON. The fourth district, on page two, which they are amending or trying to amend reads:

> "The fourth district shall consist of the twenty-fourth, twenty-eighth, twenty-ninth, thirty-second, thirty-seventh, thirty-eighth and forty-seventh wards of the City of Philadelphia."

That would run approximately three hundred thousand, would it not?

Mr. SALUS. Over, Mr. Speaker, but not much over.

Mr. HEATHERINGTON. Under the amendments

> "The fourth district shall consist of the fifteenth, twenty-eighth, twenty-ninth, thirty-second, thirty-eighth and forty-seventh wards of the City of Philadelphia and will have one Congressman."

Would the population stay about the same in that, Mr. Speaker?

Mr. SALUS. No, that will be a little bit larger than the other one.

Mr. HEATHERINGTON. With the amendments in, it will make the population larger, is that correct?

Mr. SALUS. There is no change in population in any congressional district in the amendment, and the reason Philadelphia has lost one Congressman is because of the fact that there aren't sufficient residents in the City of Philadelphia for them to have eight Congressmen.

Mr. HEATHERINGTON. The amendments provide

> "The fifth district shall consist of the twenty-third, thirty-third, thirty-fifth, forty-first and forty-third wards of the City of Philadelphia."

That will be around three hundred thousand, is that correct?

Mr. SALUS. That will be over three hundred thousand, Mr. Speaker. That is a large district.

Mr. HEATHERINGTON. Would the gentleman say about three hundred fifty thousand?

Mr. SALUS. I imagine so, Mr. Speaker. I cannot give the exact figure, because after all I cannot carry that in my mind, and I refuse to use my mind as a storage house of useless information.

Mr. HEATHERINGTON. According to the amendment, Mr. Speaker:

> "The fifth district shall consist of the twenty-third, thirty-third, thirty-fifth, forty-first and forty-third wards of the City of Philadelphia and will have one Congressman."

Will that cut down the population or bring it up?

Mr. SALUS. The population will remain the same whether we have the amendments or not.

Mr. HEATHERINGTON. I am talking about this one district, Mr. Speaker. How many does the gentleman think would be in that district?

Mr. SALUS. Well, I would have to give the gentleman a guess or a statement that every district will have over three hundred thousand with the exception of one, and that will be only a little short of three hundred thousand. There are none of them that go over the limit. In other words those who framed this act tried to equalize the entire City of Philadelphia in order that there shall be proper apportionment in accordance with the population.

Mr. HEATHERINGTON. Mr. Speaker, this large district shall consist of the twenty-first, twenty-second, forty-second, forty-fifth and fiftieth wards of the City of Philadelphia under the bill as it is now. And under the amendments the sixth district shall consist of the thirty-fourth, fortieth, forty-sixth, fifty-first and fifty-second wards of the City of Philadelphia and will have one Congressman. That would probably be a three hundred thousand district, is that right?

Mr. SALUS. I think it would, Mr. Speaker, but I do not think it is very much different from the present quota and that of the quota under the new bill. My belief is that there isn't very much difference.

Mr. HEATHERINGTON. I thank the gentleman from Philadelphia, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER declared the noes appeared to have it.

Whereupon a division was called for, sixty-six Members having voted in the affirmative and one hundred nineteen in the negative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. LEVY. Mr. Speaker, before the Chair announced the agreement to section 1, I had asked for recognition to offer an amendment to section 1, and I would request the Chair to accept the amendments.

The SPEAKER. The Chair would inform the gentleman from Philadelphia, Mr. Levy, that the Chair asked several times, even after the amendments were offered by the gentleman from Allegheny, Mr. Bentley, and the gentleman from Philadelphia Mr. Tate, whether there were further amendments to section 1, without receiving any response from the Members.

Mr. LEVY. Mr. Speaker, I was in the Hall of the House, and I had no means of knowing the private conversation between the Chair and the Minority Leader.

The Parliamentarian has informed me that the Minority Leader spoke of two sets of amendments. I also have a set of amendments that I regret now were not submitted to the Minority Floor Leader before debate on the floor but that was occasioned by the fact that they did not get over from the Legislative Reference Bureau in time, and also by the fact that they were printed with the wrong sponsor's name. So I would ask, Mr. Speaker, whether it would not be in order to ask unanimous consent of the House to withdraw the agreement to section 1 in order that we may consider my amendments?

The SPEAKER. The gentleman may ask for unanimous consent of the House to offer his amendments. Will the House give its unanimous consent for the Chair to withdraw its decision as to agreeing to the first section of the bill?

Mr. MUIR. I object, Mr. Speaker.

The SPEAKER. The Chair hears objections and consent is not granted.

PARLIAMENTARY INQUIRY

Mr. LEVY. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. LEVY. Mr. Speaker, is it not in order for the Speaker to recognize a Member of the House who has risen for that purpose prior to the agreement on a specific section, even though there might have been an agreement concerning the number of amendments to be offered?

The SPEAKER. The Chair has no knowledge of any specific agreement. The Chair neither saw nor heard the Member at that time. Had he done so he would gladly have recognized him.

Mr. LEVY. Mr. Speaker, I then desire to inform the Chair that I had risen from my seat in ample time for the Speaker to recognize me, and that a vast number of gentlemen on the minority side of the House saw the action and have since told me that I was in ample time to be recognized.

I do fully recognize your embarrassment because you did probably have some word as to how many amendments were to be offered, and I understand that is the respect accorded to the Chair. I wish at this time to approve of such prearrangements, but, Mr. Speaker, I was without that knowledge, and I will ask the Speaker to inform the House to that effect, and ask if they will not reconsider their action and grant me the right to introduce these amendments at this time.

I might say, Mr. Speaker, before I close, that my amendments are in their entirety regarding the section of the bill we have considered, and I merely want to point out to the membership in particular the inequalities of the apportionment of my particular Congressional district. I feel that the people whom I represent would desire that I say that, and I certainly cannot do that on debate on section 2.

The SPEAKER. The Chair desires to ask the gentleman from Philadelphia a question. Did the gentleman hear the Chair on at least three different occasions where he asked whether there were any further amendments to section 1?

Mr. LEVY. Mr. Speaker, I did not hear the Chair, and I regret it. I might inform the Chair that I was probably in the rear of the House conferring with Mr. Tate of Philadelphia, who was in possession of my amendments, sent to him by mistake of the Legislative Reference Bureau.

I request that the agreement by which section 1 was agreed to be reconsidered.

The SPEAKER. The Chair has put that question to the House as to whether there were objections, and found objections.

The Chair recognizes the gentleman from Lehigh Mr. Lichtenwalter.

Mr. LICHTENWALTER. Mr. Speaker, this side withdraws its objection, provided the gentleman from Philadelphia will not consume more than ten minutes time.

The SPEAKER. The gentleman from Lehigh removes the objection providing the gentleman will confine himself to ten minutes. The Chair hears no further objection.

The Chair withdraws its decision by unanimous consent as to agreeing to the first section of the bill.

On the question recurring,

Will the House agree to the section?

The amendments offered by Mr. LEVY were read as follows:

Amend Section 1, page 1, line 4, by striking out the word "thirty-three" and inserting in lieu thereof the following: "thirty-two".

Amend Section 1, page 1, by striking out lines 6 to 11 inclusive.

Amend Section 1, page 2, by striking out lines 1 to 14 inclusive.

Amend Section 1, page 2, by inserting after line 14 the following:

"The first district shall consist of the first, second, third, fourth, fifth, sixth, twenty-sixth, thirty-ninth and forty-eighth wards of the city of Philadelphia and will have one congressman.

The second district shall consist of the seventh, eighth, ninth, tenth, twenty-fourth, twenty-seventh, thirtieth, thirty-sixth and forty-fourth wards of the city of Philadelphia and will have one congressman.

The third district shall consist of the eleventh, twelfth, thirteenth, fourteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-fifth, thirty-first, thirty-seventh and forty-fifth wards of the city of Philadelphia and will have one congressman.

The fourth district shall consist of the fifteenth, twenty-eighth, twenty-ninth, thirty-second, thirty-eighth and forty-seventh wards of the city of Philadelphia and will have one congressman.

The fifth district shall consist of the twenty-third, thirty-third, thirty-fifth, forty-first and forty-third wards of the city of Philadelphia and will have one congressman.

The sixth district shall consist of the thirty-fourth, fortieth, forty-sixth, fifty-first and fifty-second wards of the city of Philadelphia and will have one congressman.

The seventh district shall consist of the twenty-first, twenty-second, forty-second, forty-ninth and fiftieth wards of the city of Philadelphia and will have one congressman."

Amend Section 1, page 2, line 15, by striking out the word "seventh" and inserting in lieu thereof the following: "eighth".

Amend Section 1, page 2, line 17, by striking out the word "eighth" and inserting in lieu thereof the following: "ninth".

Amend Section 1, page 2, line 19, by striking out the word "ninth" and inserting in lieu thereof the following: "tenth".

Amend Section 1, page 2, line 21 by striking out the word "tenth" and inserting in lieu thereof the following: "eleventh"

Amend Section 1, page 2, line 23 by striking out the word "eleventh" and inserting in lieu thereof the following: "twelfth"

Amend Section 1, page 2, line 25 by striking out the word "twelfth" and inserting in lieu thereof the following: "thirteenth"

Amend Section 1, page 2, line 27 by striking out the word "thirteenth" and inserting in lieu thereof the following: "fourteenth"

Amend Section 1, page 3, line 1 by striking out the word "fourteenth" and inserting in lieu thereof the following: "fifteenth"

Amend Section 1, page 3, line 3 after the partial word "van" by inserting the following: "Clinton Lycoming Tioga"

Amend Section 1, page 3 by striking out lines 4 and 5 inclusive.

Amend Section 1, page 3, line 14 by striking out the word "Jefferson"

Amend Section 1, page 3, line 14 by inserting after the word "Clarion" the following: "Potter McKean Cameron"

Amend Section 1, page 3, line 16 by inserting after the word "Carbon" the following: "Pike"

Amend Section 1, page 3, line 2 by striking out the word "Pike"

Amend Section 1, page 3, line 22 by inserting after the word "Fayette" the following: "Greene"

Amend Section 1, page 3 by striking out lines 23 and 24 inclusive, and inserting in lieu thereof the following: "The twenty-fourth district shall consist of the sixth. ninth, twenty-first, twenty-second, twenty-third, twenty-fourh, twenty-fifth, twenty-sixth and twenty-seventh wards of the city of Pittsburgh and all of the boroughs, and townships lying north of the Allegheny and Ohio rivers in the County of Allegheny"

Amend Section 1, page 3, line 28 by inserting after the word "Indiana" and inserting in lieu thereof the following: "Jefferson"

Amend Section 1, page 4 by striking out lines 5 to 20 inclusive.

Amend Section 1 page 5 by striking out lines 1 to 5 inclusive.

Amend Section 1, page 5 by striking out lines 6 to 20 inclusive.

Amend Section 1, page 5 by inserting before line 20 the following:

"The twenty-ninth district shall consist of the county of Washington and the following boroughs and townships in the county of Allegheny, boroughs of Bridgeville, Coraopolis, Dormont, Heidelberg, McDonald, Oakdale and townships of Bethel, Collier, Crescent, Findlay, Moon, Mt. Lebanon, North Fayette, Robinson, Scott, South Fayette and Upper St. Clair.

"The thirtieth district shall consist of all the boroughs and townships lying between the Allegheny and Monongahela Rivers the City of McKeesport and the boroughs of Homestead, Munhall, West Homestead and Whitaker in the county of Allegheny.

"The thirty-first district shall consist of the first, second, third, fourth, fifth, seventh, eighth, tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth wards of the city of Pittsburgh in the county of Allegheny.

"The thirty-second district shall consist of the sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-eight, twenty-ninth, thirtieth, thirty-first and thirty-second wards of the city of Pittsburgh, the cities of Clairton and Duquesne, the boroughs of Brentwood, Carnegie, Castle, Shannon, Crafton, Dravosburg, Greentree, Ingram, Mt. Oliver, McKees Rocks, Rosslyn Farms, Thornburg and West Elizabeth and the townships of Baldwin, Jefferson, Kennedy, Mifflin, Neville, Snowden and Stowe in the county of Allegheny."

Amend Section 1, page 5 by inserting after line No. 20 the following new section.

"Section 2. The thirty-third representative to which the people of the Commonwealth of Pennsylvania are entitled in the House of Representatives of the Congress of the United States shall be elected at large by the electors of the Commonwealth and such Congressman at large shall be nominated and elected in the same manner as is now or hereafter may be provided by law for the nomination and election of candidates for the office of Governor of the Commonwealth."

Amend page 5, line 21 by striking out the figure "2" and inserting in lieu thereof the following: "3"

Amend page 6, line 3 by striking out the figure "3" and inserting in lieu thereof the following: "4"

Amend Title, line 2 by inserting after the word "districts" the following: "and providing for the election of one representative in the Congress of the United States at large."

On the question,

Will the House agree to the amendments?

Mr. LEVY. Mr. Speaker, in support of the amendments which I have just offered, I desire to interrogate the Majority Leader of the House.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I will, Mr. Speaker.

Mr. LEVY. Mr. Speaker, I desire to interrogate the gentleman from Lehigh as to how the Republican party satisfies its own conscience when in the third district of Philadelphia it shuffles a population of 270,577 and calls it an inadequate population for one Congressman, and approves of the population as exemplified in the eighteenth congressional district in the Commonwealth, that which is represented, Mr. Speaker, incidentally by Congressman Simpson?

Mr. LICHTENWALTER. Mr. Speaker, I think under one of the previous interrogations, as far as the conscience of the Republican party is concerned, we as a party are willing to stand before the people of Pennsylvania as far as this particular bill is concerned, and we are willing to take the judgment of the people

Mr. LEVY. Mr. Speaker, I desire to inquire of the gentleman from Lehigh as to whether or not he also subscribes to the words of one of the Republican proponents of the bill this afternoon when he said "This bill is fair?"

Mr. LICHTENWALTER. I do, Mr. Speaker.

Mr. LEVY. Then do I assume, Mr. Speaker, that the Majority Leader feels it is fair for the district to have a population of 215,352 and be represented by one Congressman, and in another, because it merely has a population of 272,000 which is 60,000 more, that that is not sufficient and should be added to other wards in the City of Philadelphia?

Mr. LICHTENWALTER. Is the gentleman referring to his district within the City of Philadelphia?

Mr. LEVY. Mr. Speaker, I am referring particularly to the third congressional district in Philadelphia, represented by Congressman Bradley and the eighteenth congressional district, represented by Congressman Simpson.

Mr. LICHTENWALTER. Mr. Speaker, I do not say that those particular districts are contiguous. Under the provisions of the Constitution I certainly feel that the bill as drawn is fair, and I will agree with the former speaker.

Mr. LEVY. Might I inquire of the Majority Leader, Mr. Speaker, as to what the new Pennsylvania ratio for Congressmen will be under the new bill. For the benefit of the gentleman from Lehigh, Mr. Speaker, I repeat, does the Majority Leader know the new Pennsylvania ratio under which each Congressman is to be elected in Senate Bill 272, Printer's No. 245?

Mr. LICHTENWALTER. The ratio, I believe, Mr. Speaker, is three hundred thousand.

Mr. LEVY. Then, Mr. Speaker, I further inquire of the gentleman, if the new ratio is three hundred thousand, why does the eighteenth congressional district preserve its equality with the population to the tune of 215,000.

Mr. LICHTENWALTER. Because, Mr. Speaker, I do not believe that any congressional reapportionment bill or any apportionment can be drawn that is going to be satisfactory to everyone, or that any population can be made exactly to meet the ratio.

Mr. LEVY. Mr. Speaker, then does the Majority Leader not infer that we could satisfy at this time the Republican Congressmen in Pennsylvania, and leave the Democratic Congressmen to what may befall them?

Mr. LICHTENWALTER. I figure, Mr. Speaker, that that would be entirely up to the people of Pennsylvania.

Mr. LEVY. I desire to further interrogate. Would the gentleman kindly explain to the Members of the House why congressional district fifteen has a total population in this bill of 212,979 and the third congressional district in Philadelphia over 347,000?

Mr. LICHTENWALTER. Mr. Speaker, I believe I answered that in the former question when the gentleman brought in the eighteenth congressional district in Philadelphia. There cannot be any comparison, because the districts are not contiguous.

Mr. LEVY. Mr. Speaker, then I finally ask the gentleman from Lehigh, is this the Republican party's sense of fairness in congressional reapportionment?

Mr. LICHTENWALTER. I would say, Mr. Speaker, that certainly it is the Republican party's bill, and as far as we are concerned it is strictly a fair one.

Mr. LEVY. Mr. Speaker, I thank the gentleman.

Apparently through interrogation of the Majority Leader the true light of Republican fairness relative to congressional reapportionment is now before the House. In one breath the Republican defenders say "This bill is a fair one," and in another breath they say "It is the best that can be expected." Why? Because it satisfies the Republican party of Pennsylvania.

Mr. Speaker, some time ago I told the Members of the

House that there was a certain clique in the United States today that wanted to win the war without England. I said further, Mr. Speaker, that there was a certain clique in the United States that wanted to win the war without Russia, and I said finally that there is a definite political party in the United States that want to win the war without the President of the United States.

POINT OF ORDER

Mr. HARE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Somerset will state his point of order.

Mr. HARE. Mr. Speaker, the gentleman is certainly not speaking on the subject, and I want to warn him he is about thirty seconds off the limit of his time.

The SPEAKER. The point of order is well taken. The gentleman from Philadelphia well knows he is not speaking on the amendment.

Mr. LEVY. Mr. Speaker, I want to tell the gentleman from Somerset that he has now consumed three and a half minutes of my time.

The SPEAKER. He has not. The gentleman from Philadelphia will proceed.

Mr. LEVY. Mr. Speaker, I charge again that the presence of Senate Bill 272 on the calendar today is living testimony to the fact that the Republican party hates Roosevelt at any cost.

The SPEAKER. The Chair wants to be tolerant, but insists that the gentleman confine his remarks to the amendments.

POINT OF ORDER

Mr. FLEMING. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. FLEMING. Mr. Speaker, I believe you gave the gentleman from Philadelphia ten minutes in which to speak. The ten minutes, I have clocked him very carefully, are now up.

The SPEAKER. The Chair has endeavored to fulfill that requirement, but the gentleman from Philadelphia predicated his remarks by requesting to interrogate the Majority Floor Leader. The gentleman from Philadelphia will proceed.

POINT OF ORDER

Mr. FLEMING. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. FLEMING. In the first instance, Mr. Speaker, I was with the gentleman who objected to Mr. Levy offering amendments. I withdrew my objections on the basis that he would only consume ten minutes. He has consumed that ten minutes. He didn't see fit to quit, therefore, Mr. Speaker, I now move the previous question.

Mr. LEVY. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will yield. The Chair will be guided only by the record of the Official Reporter of this House. The gentleman from Philadelphia will proceed.

Mr. LEVY. Mr. Speaker, I would suggest to the gentleman from Allegheny—

PARLIAMENTARY INQUIRY

Mr. AUKER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Blair will state his question of parliamentary inquiry.

Mr. AUKER. Mr. Speaker, is not a motion to move the previous question always in order?

The SPEAKER. The motion has not been seconded.

Mr. AUKER. Mr. Speaker, a point of inquiry.

The SPEAKER. The House, as well as the Chair, has committed itself to ten minutes time to the gentleman from Philadelphia. It is only fair to permit him to have those ten minutes.

Mr. AUKER. In answer to my point of inquiry, Mr. Speaker, this side of the House agreed to give the gentleman from Philadelphia ten minutes. He has consumed those ten minutes, and the previous question was moved from this side of the House. I would like to know whether or not that was all recorded.

The SPEAKER. The Chair will be guided only by the record of the Official Reporter of this House as to the time. The gentleman from Philadelphia will proceed.

Mr. LEVY. Always very earnestly in agreement with my Republican colleagues, I would make a suggestion, Mr. Speaker, that tomorrow the Speaker make arrangements with the men in charge to have installed in the House once again the air conditioning system, so that the Republican membership might not get too uneasy at my remarks. I will at this time yield until tomorrow on third reading when I ask the Chair to kindly give me an hour and ten minutes.

Mr. TATE. Mr. Speaker, I rise at this time in support of the amendments submitted by Mr. Levy to Senate Bill 272. These amendments represent a slight adjustment to the bill which was passed by both the House and Senate and signed by the Governor in the Special Session of 1942.

In fairness to my colleagues on the special interim committee that considered Congressional apportionment, I would like to say that each and every one of those ten members gave very serious consideration to the question of Congressional apportionment which was so necessary for the state of Pennsylvania at that time.

The Minority Floor Leader has suggested to me that perhaps I was being unfair because of the agreement with the other side, but I ask the indulgence of the House for just a minute or so in order that I can refer to the situation which developed at the time we considered congressional apportionment in the special interim committee of 1942. After this committee was appointed the Members sat for many deliberations all through the month of November, 1941 and the early part of December, 1941.

On December 10th, just three days after the doom of Pearl Harbor the Members came to the meeting, most of them were shocked and crestfallen with the tragedy that had struck us, and each and every one of them, without any equivocation said "Gentlemen, we must forget politics. Let us compromise on this situation. Let each party drop a Congressman and elect one at large."

It was no time before the members of that Committee agreed to this very fair arrangement. Now, Mr. Speaker, I insist that if the situation which resolves itself around this present war caused a compromise at that particular time, I cannot understand why the gentleman on the other side must go ahead and change the situation all around, undoubtedly to their advantage. During this session we have had many bills which affected one class or another which permitted an aleviation of a condition because of the war, and others for which they asked that the status quo remain. I appeal to the members on the other side and say in fairness to your colleagues who sat on that Committee that you too should give serious consideration to the work of that Committee and to their attitude in respect to congressional reapportionment. They full well knew the condition at that time, and the condition has not changed today.

Mr. Speaker, I ask the members to vote in favor of the amendments of the gentleman from Philadelphia.

Mr. ALSPACH. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Muir, David P. Reese, Jr., Taylor, Van Allsburg, Boorse, Norman Wood, Stonier, Auker, James, Fleming, Cordier, Kline, Cook, Depuy, Helm, Kowalski, Nowak, Flack, Livingstone, Hoopes, Miller and others,

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. Baker and Mr. Tate and were as follows:

YEAS—118

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Flack.
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman.
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Helm,
Hewitt,
Hocke,
Holmes,
Hoopes,
Huntley,
Imbrie,
Irvin,
James,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, P. L.,
Wagner, K. H.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—63

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Bradley,
Brigerman,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Coleman,
Corrigan,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Goodwin,
Green,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Reynolds,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent.
Verona,
Weiss,
Welsh,
Wright,
Yester,

So the question was determined in the affirmative and the motion was agreed to.

QUESTION OF INFORMATION

Mr. ALSPACH. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Lancaster will state his question of information.

Mr. ALSPACH. Am I to understand, Mr. Speaker, that the Speaker stated that those voting "aye" were voting for the main question?

POINT OF ORDER

Mr. COHEN. A point of order, Mr. Speaker.

The SPEAKER. Will the gentleman yield until the Chair can answer the gentleman from Lancaster?

Mr. COHEN. I rise to a point of order, Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. COHEN. There is nothing in order but the calling of the roll, Mr. Speaker.

The SPEAKER. That is correct. The Chair however is trying to inform the gentleman on what he is voting. The question before this House is: Shall the main question be now put?

Mr. ALSPACH. I ask that the roll be called from the beginning.

On the question recurring,

Will the House agree to the amendments?

Mr. COHEN. Mr. Speaker, just previous to the motion just voted on, the gentleman from Allegheny, Mr. Schuster, stood in his place and was about to ask that the roll be called on the amendments. I am sorry that the other side took the opportunity for displaying, let us say, bad manners at that time, but we are all pretty tired and pretty exhausted, and moved the previous question.

I now make the request that the gentleman from Allegheny was about to ask, that the roll be called.

The yeas and nays were required by Mr. Cohen and Mr. Schuster and were as follows:

YEAS—66

Baker,
Barrett,
Bentley,
Boies,
Boory,
Bradley,
Brigerman,
Burns,
Chervenak,
Cohen,
Coleman,
Corrigan,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Goodwin,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Regan,
Reynolds,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

NAYS—123

Alspach,
Auker.
Barton,
Bonawitz,
Boorse,
Bower,
Boyd,
Bretherick,
Brice,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Lyons,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,

Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The second and third sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection, Senate Bill No. 313, Printer's No. 138 and Senate Bill No. 472, Printer's No. 238, were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 211, entitled:

An Act to further amend section nine hundred eight subsection A of section one thousand six and subsection B of section one thousand one hundred nine of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and duties and limitations upon powers of corporations and persons authorized to engage in a banking or fiduciary business or both

The first section was read.

On the question,

Will the House agree to the section?

Mr. MUIR offered the following amendments:

Amend Section 1, page 3, line 16, by striking out the word "Every" and inserting in lieu thereof the following: "Except as otherwise provided in this act every."

Amend Section 1, page 6, by inserting between lines 27 and 28 in italics the following: "H. Until six months after the cessation of hostilities in the present war an institution shall not be required to maintain any reserve against deposits payable to the United States arising solely as the result of subscriptions made by or through such institution for the United States Government securities issued under authority of the Second Liberty Bond Act, as amended."

On the question,

Will the House agree to the amendments?

They were agreed to.

The second, third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 608, entitled:

An Act to further amend section six of the act, approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An act to establish a county court for the county of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof," by conferring upon said county court jurisdiction in certain criminal actions and in divorce, appeals from the Workmen's Compensation Board, and appeals from the Pennsylvania Liquor Control Board.

The first section was read.

On the question,

Will the House agree to the section?

Mr. BROWN offered the following amendments:

Amend Sec. 1 (Sec. 6), page 2, lines 9 to 24, both inclusive, by striking out all of said lines.

Amend Sec. 1 (Sec. 6), page 2, line 25, by striking out the letter "(i)" and inserting in lieu thereof "(g)".

Amend Sec. 1 (Sec. 6), page 2, line 27, by striking out the letter "(j)" and inserting in lieu thereof "(h)".

Amend Sec. 1 (Sec. 6), page 3, line 1, by striking out the letter "(k)" and inserting in lieu thereof "(i)".

Amend Sec. 1 (Sec. 6), page 3, line 2, by striking out the following: "(h), (i) and (j)" and inserting in lieu thereof "(g) and (h)".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. BROWN offered the following amendments.

Amend title, page 1, line 8 of title, by striking out the words "certain criminal actions and in divorce".

Amend Sec. 1, page 2, line 4, by striking out the word "five" and inserting in lieu thereof "three".

On the question,

Will the House agree to the amendments?

They were agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 643, entitled:

An Act to amend clause (e) of section six and section seven of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven (P. L. 814), entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and for the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties," by increasing the maximum compensation to be paid to the chief clerk and to counsel for the commission.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

REPORTS FROM COMMITTEES

Mr. DEPUY from the Committee on Welfare reported as amended, House Bill No. 161, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of individuals may be performed without civil or criminal liability and providing penalties.

Mr. BURNS from the Committee on Education reported as amended, House Bill No. 853, entitled:

An Act to further amend section one thousand two hundred six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further regulating leaves of absence for professional employes.

Mr. McCLESTER from the Committee on Education reported as amended, Senate Bill No. 68, entitled:

An Act to further amend subsection one of section four of the act approved the eighteenth day of July, one thousand nine hundred seventeen (P. L. 1043), entitled "An act establishing a public school employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon boards having the employment of public school employes; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," increasing the membership of the Public School Employes' Retirement Board

Mr. TAHL from the Committee on Judiciary General reported as amended, Senate Bill No. 137, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth held by a foreign corporation unauthorized to hold the same and heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, April 19, 1943.

Resolved (if the Senate concur), That House Bill No. 487, Printer's No. 150, entitled "An act to amend section three of the act approved the third day of May one thousand nine hundred and nine (P. L. 413) entitled 'An act relating to the granting of titles by the Commonwealth of Pennsylvania to vacant or unappropriated land the price to be paid for the same the conveyance to the State Forestry Reservation Commission where desirable for forest culture or forest preservation preventing the granting of warrants for the beds of navigable rivers and providing for acceptance of returns of surveys without limitation as to excess or surplus' by providing for granting of warrants and rights to certain additional lands," be recalled from the Governor for the purpose of amendment.

RESOLUTION REPORTED FROM COMMITTEE

Mr. LLOYD H. WOOD asked and obtained unanimous consent to report from the Committee on Rules as committed House Resolution No. 61 and for its immediate consideration.

The resolution was twice read, considered and adopted as follows:

In the House of Representatives, April 14, 1943.

For many years this country and the world at large has observed May first as May Day and at different places the observance has been marked by various kinds of celebrations

At times these celebrations have resulted in demonstrations against organized government

In 1932 the American Legion in Fayette County inaugurated a new kind of observance of the day by staging a parade of Americanism which has grown each year into an event of first importance

The participation in the celebration of this day by patriotic societies veterans' organizations and other organizations cannot help but make it throughout the Commonwealth a day to awaken new pride in our American institutions therefore be it

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania urges the setting aside of May first as Americanism Day and urges upon all patriotic veteran fraternal and civic organizations the planning of its celebration in such a manner as will bring to the people of the Commonwealth a full realization of the benefits and privileges and blessings that come to them through the continuance of our American form of government and be it further

Resolved That the Governor of the Commonwealth is hereby urged to issue his proclamation further urging the people of the Commonwealth to join in a real American celebration of Americanism Day

RECESS

Mr. LICHTENWALTER. Mr. Speaker, I move that this House do now recess until 8 p. m.

The motion was agreed to.

AFTER RECESS

The House reconvened at 8 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

BILLS INTRODUCED AND REFERRED

By Mr. LLOYD H. WOOD. HOUSE BILL No. 1105.

An Act making an appropriation to the Department of Property and Supplies for the restoration, improvement and equipment of the Pottsgrove Mansion in the borough of Pottstown on the advice and subject to the approval of the Pennsylvania Historical Commission.

Referred to the Committee on Appropriations.

By Messrs. NORMAN WOOD and LLOYD H. WOOD.
HOUSE BILL No. 1106.

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Referred to the Committee on Appropriations.

By Messrs. NORMAN WOOD and LLOYD H. WOOD.
HOUSE BILL No. 1107.

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Referred to the Committee on Appropriations.

By Mr. WINNER. HOUSE BILL No. 1108.

An Act to further amend the act, approved the seventh day of May, one thousand nine hundred and twenty-seven (P. L. 859), entitled "A supplement to the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled 'An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal,' imposing additional taxes equal to Federal credits," by further defining and imposing such additional taxes as estate taxes; prescribing and changing the method of computing such taxes; and decreasing the interest penalty on unpaid taxes.

Referred to the Committee on Ways and Means.

RESOLUTION INTRODUCED AND REFERRED

By Messrs. GARBER and KOWALSKI.
RESOLUTION No. 63.

In the House of Representatives, April 20, 1943.

Whereas, The Commonwealth now operates and maintains ten medical and surgical hospitals located in Ashland, Blossburg, Coaldale, Connellsville, Hazleton, Shenandoah, Nanticoke, Philipsburg, Scranton and Shamokin which were established primarily for the care and treatment of injured coal miners; and

Whereas, Such hospitals perform a particularly valuable function since the occupation of coal mining is unusually dangerous in nature and results in a proportionately high number of serious injuries; and

Whereas, Said hospitals are, in addition, of great general benefit in the communities wherein they are located, for they make available medical and surgical treatment to many persons in addition to coal miners; and

Whereas, Under Senate Bill No. 376, which has been introduced in the Senate at the present session of the General Assembly, preliminary steps would be taken toward discontinuing State operation of these hospitals and disposing of them to political subdivisions or municipal authorities; and

Whereas, The discontinuance of State operation of these hospitals may mean either the impairment of their service or their entire abandonment to the great detriment of the areas which they have been serving; therefore be it

Resolved, That the House of Representatives disapproves the plans now contemplated whereby bids for these State hospitals would be solicited from political subdivisions or municipal authorities, with the end in view that said hospitals will eventually be sold to such political subdivisions or municipal authorities and their operation by the State discontinued.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE RESOLUTION No. 53

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution No. 53, Printer's No. 426, requesting the State Council of Defense to ask all merchants farmers and dealers in poultry and other live stock to immediately discontinue the practice of selling chicks ducklings and rabbits and to publicize its actions in order that the public might be informed of its contribution to the secretary of food in the purchase of such live stock.

EDWARD MARTIN.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 373.

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers, providing that records are admissible as evidence, imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties, imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation and providing for refunds"; changing the definition of "dealer", providing for the issuance and use of temporary registration cards and temporary registration plates or markers and prescribing penalties"

HOUSE BILL No. 889.

An Act to amend section eight of the act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 694) entitled "An act imposing a tax on gross receipts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire" by changing the name State Highway Patrolmen to Pennsylvania State Police

HOUSE BILL No. 833.

An Act to further amend the title and the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 414) entitled as amended "An act providing for a system of recording the identification of persons convicted of crime and of fugitives from justice and habitual criminals conferring powers and imposing duties upon the Pennsylvania Motor Police district attorneys police officers wardens or keepers of jails prisons workhouses or other penal institutions and sheriffs providing for the payment of certain expenses by the counties and imposing penalties" by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act

HOUSE BILL No. 831.

An Act to amend the title and certain sections of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 660) entitled "An act providing for the return of escaped prisoners and convicts after apprehension to the penitentiary or state institution from which they escape by the agents of the Department of Justice or the Pennsylvania Motor Police and requiring the penitentiary or state institution to defray the expenses thereof" by changing the name Pennsylvania Motor Police to Pennsylvania State Police

HOUSE BILL No. 829.

An Act to amend the title and sections four five six and eight of the act approved the third day of July one thousand nine hundred forty-one (P. L. 249) entitled "A supplement to the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (Pamphlet Laws two thousand four hundred twenty-three) as amended entitled 'An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties'" by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System and the name Pennsylvania Motor Police to Pennsylvania State Police

HOUSE BILL No. 826.

An Act to further amend sections 823 (i) and (j) and 1211 of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as variously amended, by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

HOUSE BILL No. 824.

An Act to further amend certain sections of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1046) entitled "An act appropriating the moneys in the Motor License Fund" as reenacted and amended by making the moneys in the Motor License Fund available to the Pennsylvania State Police to defray the expenses required by such agency in the proper conduct of part of its work

HOUSE BILL No. 820.

An Act to amend the title and certain sections of the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2423) entitled "An act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and of certain medical expenses from the State Employes' Retirement Fund under the Administration of the State Employes' Retirement Board providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties" by changing the name of the Pennsylvania Motor Police Retirement System to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police and conforming said act to existing law

HOUSE BILL No. 819.

An Act to further amend the title and the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1314) entitled as amended "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth prescribing the qualifications for admission of such persons to such school providing for the payment of certain costs by such students conferring certain powers upon the Pennsylvania Motor Police and making an appropriation" by imposing upon the Pennsylvania State Police the duties formerly imposed upon the Pennsylvania Motor Police

HOUSE BILL No. 818.

An Act to amend sections one two and four of the act approved the twenty-fourth day of July one thousand nine hundred forty-one (P. L. 494) entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America providing for its appointment prescribing the powers and duties and authorizing the use by the committee of the employes equipment supplies and facilities of certain State agencies" by changing the name Pennsylvania Motor Police to Pennsylvania State Police

HOUSE BILL No. 817.

An Act to amend the title and the act approved the twenty-ninth day of June one thousand nine hundred thirty-seven (P. L. 2420) entitled "An act fixing the hours of rest each calendar week and the vacation period of members of the Pennsylvania Motor Police Motor Police and Patrolmen and Guards in State Parks" by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police

HOUSE BILL No. 421.

An Act to add section ten to the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" authorizing townships to make appropriations for said purposes.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 588.

An Act to amend paragraph four of subsection (c) of section two hundred two and to further amend section six hundred twenty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the purposes for which certain companies may be incorporated to include insuring medical hospital surgical and funeral expenses in connection with certain kinds of liability insurance and insuring against loss or damage to property from certain causes for which the person insured is liable.

HOUSE BILL No. 649.

An Act to amend section one thousand five hundred seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing a method for financing the cost of constructing sewers or drains.

HOUSE BILL No. 838.

An Act to further amend section four of the act approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof," by suspending, under certain conditions, the operation of certain provisions during the present war.

HOUSE BILL No. 914.

An Act to further amend the title and certain sections of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 450), entitled as amended, "An act relating to fires and fire prevention; imposing duties and conferring powers upon the Pennsylvania Motor Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania Motor Police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires and the inspection of all, and the removal or change of certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the Pennsylvania Motor Police, and the enforcement of its orders; and prescribing penalties," by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act.

With the information that the Senate has passed the same without amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 694

Commonwealth of Pennsylbania,
Governor's Office, Harrisburg, April 16, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 694, Printer's No. 131, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

RECONSIDERATION OF VOTE

Mr. DENNISON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. GATES. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Jefferson, Mr. Dennison vote on the final passage of this bill?

Mr. DENNISON. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Armstrong, Mr. Gates vote on the final passage of this bill?

Mr. GATES. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. DENNISON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. DENNISON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 14 of the title by striking out after the word "bond" and before the word "adding" the word: "[and]".

Amend page 1, line 15 of the title by inserting after the word "licenses" the following: "and increasing the penalties".

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 171, entitled:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further clarifying the term "deceased service persons" changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves changing the name of the veterans' grave registrar to director of veterans' affairs and prescribing his duties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 700, entitled:

An Act to amend the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making any attempt to commit rape a felony; prescribing the penalty therefor; and providing that whoever attempts to commit any offense made punishable by said act, without completing such offense, may be separately indicted, tried and convicted for such attempt.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 862, entitled:

An Act providing for the creation maintenance and operation of a county employes retirement system in counties of the sixth class imposing certain charges on counties and prescribing penalties

The first section was read and agreed to.

The second section was read.

On the question,

Will the House agree to the section?

Mr. MUIR offered the following amendment:

Amend sec. 2, page 3, line 16, by inserting after the word "sixth" the words "and seventh."

Amend sec. 2, page 5, line 9, by inserting after the word "sixth" the words "and seventh."

They were agreed to.

The section was agreed to as amended.

The third to the twentieth sections inclusive were separately read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. MUIR offered the following amendment:

Amend title, page 1, 3rd line of title, by inserting after the word "sixth' the words "and seventh".

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 711, as follows:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further providing for the appointment of assistant county superintendents

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred twenty-six of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2592) is hereby further amended to read as follows

Section 1126 Every county superintendent having more than [one hundred and fifty (150)] one hundred and twenty-five (125) and not more than [five hundred and fifty (550)] four hundred and fifty (450) teachers under his supervision shall have one assistant county superintendent Every county superintendent having more than [five hundred and fifty (550)] four hundred and fifty (450) but not more than [one thousand and fifty (1050] nine hundred (900) teachers under his supervision shall have two assistant county superintendents Every county superintendent having more than [one thousand and fifty (1050)] nine hundred (900) teachers under his supervision shall have one additional assistant county superintendent for each additional five hundred teachers or fraction thereof but no county superintendent shall have more than five assistants In addition to the assistant county superintendents herein provided for in each county in which there are 550 or more teachers under the supervision of the county superintendent there shall be appointed one supervisor of special education and in each county in which there are less than 550 teachers under the supervision of the county superintendent there shall be appointed a joint supervisor of special education who shall serve in two or more counties In no instance shall such supervisor of special education serve in more than three counties The State Council of Education shall have power and it shall be their duty to determine the counties which shall be served jointly by a joint supervisor of special education The time of the joint supervisor of special education shall be apportioned among the several counties on the basis of the number of teachers under the supervision of the county superintendent in each county

Section 2 This act shall become effective on the first day of July one thousand nine hundred and forty-six

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—198

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—2

Lovett,
Reagan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 720, as follows:

An Act requiring certain taxes of the political subdivisions in counties of the first class to be stricken from the records prohibiting such taxes from being included in the computation of the solvent debts of such political subdivisions providing for the collection thereof

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Whenever the receiver or collector of taxes in any county of the first class shall ascertain that the lien upon real estate of any tax levied for county city school institution or poor purposes has been discharged by operation of law and that such real estate has changed ownership since the date of the levy of the tax it shall be the duty of such receiver or collector of taxes to strike such tax or taxes from his records

Section 2 The receiver or collector of taxes shall prepare a list of such tax or taxes thus stricken from his records and send it to the taxing authorities and officers in whose possession a record of such tax or taxes may be together with a notice of his action

Section 3 Upon receipt of the notice from the receiver or collector of taxes by the taxing authorities and officers in whose possession a record of the tax or taxes may be it shall be their duty to strike such tax or taxes from their records

Section 4 The amount of the tax or taxes thus stricken from the records shall not thereafter by used in computing the solvent debts of such county city school institution or poor district

Section 5 Nothing contained in this act shall be construed as repealing or changing the existing laws relating to the collection of such tax or taxes and in any action instituted for collection of such tax or taxes the list of such tax or taxes prepared by the receiver or collector of taxes or a certified copy thereof shall be prima facie evidence of the liability of the party who was the owner or registered owner of the property at the time the levy of such tax or taxes was made

Section 6 The act approved the ninth day of June on thousand nine hundred and thirty-nine (P. L. 322) entitled "An act requiring certain taxes of the political subdivisions in counties of the first class to be stricken from the records and prohibiting such taxes from being included in the computation of the solvent debts of such political subdivisions" and all other acts and parts of acts general local or special inconsistent with this act are hereby repealed

Section 7 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Bentley, Petrosky and Leonard requested a verification of the roll.

The roll was verified and was as follows:

YEAS—108

Alspach,
Auker,
Bonawitz,
Fullerton,
Garber,
Gates,
Lee,
Leisey,
Lichtenwalter,
Royer,
Salus,
Serrill,

Boorse,
Bower,
Bretherick,
Brice,
Cadwalader,
Calvin,
Campbell,
Cooper,
Costa,
Coulson,
Dague,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Gillan,
Goodling,
Gorman,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
Jones,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Livingstone,
Madigan,
Mahany,
McClester,
McKinney,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, P. L.,
Wagner, K. H.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—54

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Bradley,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Coleman,
Corrigan,
Cullen,
Finnerty,
Goodwin,
Green,
Haberlen,
Harris,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Kolankiewicz,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers
Reese, R. E.,
Reynolds,
Rose, S.
Scanlon,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Weiss,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FINAL PASSAGE

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. PETTIT.

The House resumed the consideration on final passage of House Bill No. 610, as follows:

An Act to amend section four of the act of one thousand seven hundred five (1 Smith's Laws 25) entitled "An act to restrain people from labour on the first day of the week" by authorizing the service or execution on Sunday of certain warrants and other instruments in cases of misdemeanors involving gambling

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act of one thousand seven hundred five (1 Smith's Laws 25) entitled "An act to restrain people from labour on the first day of the week" is hereby amended to read as follows

IV And be it further enacted That no person or persons upon the first day of the week shall serve or execute or cause to be served or executed any writ precept warrant order judgment or decree except in cases of treason felony misdemeanor involving gambling or breach of the peace but that the serving of any such writ precept warrant order judgment or decree shall be void to all intents and purposes whatsoever and the person or persons so serving or executing the same shall be as liable to the suit of the party grieved and to answer damages to him for doing thereof as if he or they had done the same without any writ precept warrant order judgment or decree at all

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Mr. PETTIT. Mr. Speaker, this bill was defeated on previous occasion on this floor. That vote, as you know was taken late at night, and a large number of member failed to vote. I do not believe it was the intention purposely to ignore this bill. This bill causes only one issue and that is the issue between right and wrong legislation A great many of the judges of the state of Pennsylvani have expressed their opinion that the passage of this bil would be a step in the right direction. Also a number o district attorneys have expressed an opinion agreeable t its passage, stating that it would greatly aid their work Surely this bill should be considered by the Members o this House, therefore I respectfully ask your earnest consideration of this measure, and ask you to vote on the affirmative side.

Mr. WRIGHT. Mr. Speaker, I want to say what others later on may say and better, but I feel that what little I have to say relative to Sabbath Desecration should be said now.

It is a common remark nowadays that the city is democracy's greatest problem. Currently with tremendous news of the war, we read tales of uncovered graft and racketeering in certain great municipalities.

Sunday Arrests: From Lancaster Intelligencer, reprinted by the Harrisburg Patriot, April 10, 1943.

> Lawmakers and their vagaries are many, but the worst of these bobbed up this week at Harrisburg when the House of the Legislature voted down a bill to allow vested police authorities to serve warrants for gambling on Sunday.

The contrast is striking. On the one hand is a life and death struggle to defend the Nation; and on the other hand we seem almost wholly blind to the simple truth that the war may be lost on the moral. A nation's morale is dependent upon its peoples' morals.

Political corruption may be a matter of indifference to citizens blindly engrossed in pursuit of their own commercial interests; but, they are not a matter of law and morals. Man cannot escape mass dealings with eternal justice.

Let no person delude himself into the belief that while money making and pleasure seeking are real, the quest of godliness is unreal. The pursuit of the good life is the most important objective in the world.

There is no greater blessing that can come to youth, than a spirit of reverence and a questioning of the spiritual and sacredness of the Sabbath day.

Democracy and deep self-respect for the rights of others resulted from the orderly way of life.

The do without era, or self-denial for the sake of a cause, is really a cardinal principle of our christian democracy. It is not easy for our luxuriant generation to sacrifice a principle, as the war is now compelling them to do. Nobody ever attained the heights of life until they have learned to subordinate a desire for a duty.

Members of this body, along with editors and teachers should be the watchman on the walls, who should cry out against the insiduous undermining of our moral strength.

In the many bills proposed there is not named a single cultural objective. Do streets, movies, commercialized sports, make up the community?

There is no mention of the churches, schools, libraries, music, or any other intellectual organizations that enters into the worthwhile life of the people.

We are laying hold of the fundamental truth that life to be glorious and triumphant, must be sacrifical. Man comes to his height to endure and do, for some objective outside of himself.

We must recognize that the war has radically changed the conditions under which we all live. The habits, the practices, the easy going manner of living, that existed before the war, no longer exists today.

In the minds of the foundling fathers, true religion and exalted patriotism were blended. Patriotic devotion had its source in the divine commands. Duty to the nation came to its complete fulfillment in the fidelity to God.

What is more important to observe is the fact that there is a Sabbath law operative in man. The Sabbath day well protected, promotes the work of the church in training youth for good citizenship and the respect for parents; it teaches obedience to law; and it promotes honesty, courage and other virtues.

All progress whether social, ethical, religious or political is constantly moving forward upon the marching feet of our young people.

Interference with religious culture and disrespect for the Sabbath day results in the increase of crime.

What God does for man, in our human world, He does in and through man. But in extraordinary times like these, does He not step in and take the initiative, in order to save the situation? It looks to us as we read history, that we have to think so, in view of the facts. Sometimes He intervenes in nature; sometimes in human nature.

At the battle of Tours He kept Europe from becoming Mohammedan. Just as in 1588 a storm wrecked the Spanish Armada, and saved England. In 1914 when the Germans were in sight of Paris, for forty-seven hours they stopped firing their cannon. Why? Again at Ypres, when they first used poison gas, the wind suddenly changed, and blew the gas back in their faces. Why?

History is full of such examples. Why the death of Stonewall Jackson when he was most needed, and why the arrival of the Monitor at the critical moment in the waters at Hampton Roads? Why? The sea gull alighting on the head of Eddie Rickenbacker when afloat in the ocean, assuring him that all's well?

Why wars, dust storms, floods and such appalling disasters as we are having, one after an other? Why indeed, if it is not a rebuke of our crass, materialistic life, our obsessive, possessive greed.

The Sabbath made for mankind is valid today. It is divine in origin; beneficent in design; and universal in application.

The Christian Sabbath law was ordained by God in creation; confirmed in the Ten Commandments; interpreted by Christ's examples in teaching. For who is wiser than God, who decreed that man should have some rest and time to sense the holy glory of this life. It is not what happens around us that makes life rich, full and exciting; it is what happens within us and thus makes us aware of our obligations to the present and future communities.

Those groups who are trying in a material way to commercialize and desecrate the Sabbath law, might just as well try to sweep back the tides of the sea, or stop the ocean waves. It is God's unchangeable law. The Sabbath is a holy day, a rest day, a glad day, a day for looking up and lifting up. The keeping of the Sabbath is a sacred right, because it is a part of the eternal order.

In recognition of God's sovereignty and man's necessity, it is not only the duty of all men to keep the day holy, but to defend it against the selfish attacks of its enemies and to save it from compromises which undermine its sanctity.

Mr. Speaker and Members of the House. At the point of Sabbath keeping, our Christian civilization has been breaking down. We have got to be brave enough to face up to this ugly truth.

Within a generation, the movement for Sabbath desecration has grown to be a flood. Home usages of Sabbath keeping have lapsed. Sunday comics have become the food for myriads. A poor substitute for christian training or clean living. Sports, movies, theatres, have been widely substituted for the old usages of worship and training in our American way of life.

In ordinary times, the adding of one more evil on the Sabbath desecration because of others is unwise business at best, but when the nation is in the midst of its most critical period, it is perilous in the extreme.

It is time to be alarmed. To loose the christian Sabbath from our common life is to threaten society physically, morally, mentally, and spiritually. This honorable group of legislators should give serious consideration to this condition in which we have drifted.

A securalized Sunday means a securalized civilization, and that is what our boys in the front lines are fighting and dying to prevent. Sunday is a holy day, but not as holy as man, for man was created in God's own image, and Sunday was made for man. Why then should individuals seek to defile, desecrate and undo that which God in his omnipotences did for man's need, instituted a rest day. Surely it is vain for man to even suppose that such a God given law can be annulled even temporarily. Sunday rest is essential to the health, efficiency and endurance of man.

Mr. Speaker and Members of the House, may I respectfully ask that you support House Bill No. 610.

Mr. HEWITT. Mr. Speaker, I want to make a short statement in support of House Bill 610. Last week I talked to a man in this city who is a plain clothes operator, and an operator I might say whom I have known for many years. He tells me that in this city and many of the larger cities in the state the gamblers move their slot machines into their gambling places at twelve o'clock Saturday night and remove them by twelve o'clock Sunday night. At these places they entertain soldiers and young girls, and the gamblers in fact live on the vice that goes on on Sunday for the other six days of the week. This man, who as I say has had much experience and is trustworthy, was very anxious that this bill should pass in order to give them permission to break into a place like that on the Sabbath day.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Baker, Pettit and Cullen requested a verification of the roll.

The roll was verified and was as follows:

YEAS—93

Alspach,
Auker,
Bentley,
Bonawitz,
Bower,
Bretherick,
Brunner, P. A.,
Burns,
Calvin,
Chervenak,
Cohen,
Cooper,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Flack,
Foor,
Fox,
Fullerton,
Gates,
Gillan,
Goodling,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Harris,
Haudenshield,
Helm,
Hewitt,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
James,
Jones,
Kennedy,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leydic,
Lichtenwalter,
Longo,
Madigan,
Mahany,
McClester,
McMillen,
Miller,
Mooney,
Moser,
Muir,
Owens,
Pettit,
Reagan,
Reese, D. P.,
Reynolds,
Riley,
Robertson,
Rowley,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Swope,
Thrasher,
Turbett,
Van Allsburg,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—60

Baker,
Barrett,
Bentzel,
Boies,
Boory,
Bradley,
Cadwalader,
Campbell,
Coleman,
Corrigan,
Costa,
Cullen,
Duffy,
Finnerty,
Garber,
Goodwin,
Gorman,
Green,
Heatherington,
Hersch,
Hunter, B. F.,
Irvin,
Kirley,
Kline,
Leonard,
Levy,
Livingstone,
Lovett,
Maxwell,
McKinney,
McSurdy,
Menna,
Modell,
Moran,
Munley,
Murray,
O'Connor,
O'Dare,
O'Neill,
Powers,
Root,
Rose, S.
Rose, W. E.,
Royer,
Sarraf,
Scanlon,
Snider,
Stank,
Stonier,
Tahl,
Tate,
Taylor,
Thompson,
Trent,
Verona,
Wachhaus,
Walton,
Watkins,
Weiss,
Welsh,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 67, as follows:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" establishing the method of appointing promoting reducing in rank suspension furloughing discharging and reinstating members of the police force of counties of the second class creating and defining the powers and duties of a civil service commission imposing certain duties and expenses on such counties and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subdivision (q) of article three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as added by the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 114) is hereby amended by adding thereto the following new sections to read as follows

Section 330.1 No member of the police force of counties of the second class shall be appointed promoted reduce in rank suspended furloughed discharged or reinstate except in accordance with the following provisions Provided however That all appointments to and promotion in the police force in said counties which shall be mad during the period beginning December seventh one thousand nine hundred forty-one and ending six months afte cessation of hostilities of the war in which the Unite States is now engaged shall be provisional for and durin such period

Section 330.2 Civil Service Commission Created Appointments Vacancies There is hereby created in each count of the second class a civil service commission hereinafte referred to as the commission Each commission shal consist of three commissioners who shall be appointed b the county commissioners and who shall be qualifie electors of the county for which appointed and shall b appointed initially to serve the terms of two four an six years and as terms thereafter expire shall be appointed for terms of six years Not more than two members of the commission shall be of the majority and a least one shall at all times be of the minority politica parties The members of the commission first appointe under the provisions of this act shall be appointed within thirty days after the effective date of this act An vacancy occurring in any commission for any reason whatsoever shall be filled for the unexpired term within a period of thirty days after such vacancy occurs Eac member of the commission created by this act shall before entering upon the discharge of the duties of hi office appear before the court of common pleas and tak an oath or affirmation to support the Constitution of th United States and of the Commonwealth of Pennsylvani and to perform his official duties with fidelity

No commissioner shall at the same time hold an elective or appointive office under the United States Government the Commonwealth of Pennsylvania or any politica subdivision of the Commonwealth

Section 330.3 Organization of Commission Quorum Th commission for each county of the second class shal organize within ten days after its appointment and shal elect one of its members as the chairman and one as the secretary of the commission The commission shall thereafter meet and organize on the second Monday of each even-numbered year Each commissioner shall be notified in writing of each meeting of the commission Two members of the commission shall constitute a quorum and no action of the commission shall be valid unless it shall have the concurrence of at least two members

Section 330.4 Clerks and Supplies The county commissioners of the counties of the second class shall furnish to the commission on its requisition such clerical assistance as may be necessary for the work of the commission The board of county commissioners shall provide a suitable and convenient room or rooms for the use of the commission The commission shall order from the county commissioners the necessary stationery postage printing and supplies and the county commissioners shall aid the commission in all proper ways in carrying out the provisions of this act

Section 330.5 Rules and Regulations Each commission shall have power to prescribe amend and enforce rules and regulations for carrying into effect the provisions of this act and shall be governed thereby before any such rules and regulations are in force the same shall first be approved by the board of county commissioners of such county When such rules and regulations have been so approved they shall not be annulled amended or added to without the approval of the board of county commissioners All such rules and regulations and modifications thereof shall be printed for public distribution

Section 330.6 Minutes Records Annual Report Each commission shall keep minutes of its proceedings and records of examinations and other official actions All recommendations of applicants for appointment received by the commission shall be kept and preserved for a period of five years and all such records and all written causes of removal filed with the commission shall be subject to reasonable regulations and open to public inspection The commission shall make an annual report to the board of county commissioners containing a brief summary of its work during the year which shall be available for public inspection five days after the filing thereof

Section 330.7 Investigations Subpoenas The commission shall have power to make investigations concerning all matters touching the administration and enforcement of the provisions of this act and rules and regulations adopted thereunder Any member of the commission is hereby given power to administer oaths as oaths are administered by other public officers invested by law with the power of administering oaths with the same force and effect and carrying the same penalties The commission shall have power to issue subpoenas over the signature of the chairman or secretary to require the attendance of witnesses and the production of records and papers pertaining to any investigation or inquiry authorized by this act The fees of such witnesses and for travel shall be the same as for witnesses appearing in the courts of common pleas and shall be paid from appropriations for incidental expenses of the commission as provided by the board of county commissioners All officers and employes in public service shall attend and testify when required to do so by the commission If any person shall refuse or neglect to obey any subpoena issued by the commission he shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not to exceed one hundred dollars ($100.00) or imprisonment in the county jail not to exceed thirty days If any person shall refuse or neglect to obey any subpoena issued by the commission it may by petition apply to the court of common pleas of the county for its subpoena requiring the attendance of such persons before the commission or the court there to testify and to produce any records and papers and in default thereof shall be held in contempt of court and punished therefor

Section 330.8 General Provisions Relating to Examinations Each commission shall make rules and regulations to be approved as herein provided providing for the examination of applicants for positions in the police force and promotions therein which rules and regulations shall prescribe the minimum qualifications of all applicants to be examined and the passing grades All examinations for positions or promotions in the police force of any county of the second class shall be practical in character and shall relate to such matters and include such inquiries as will fairly test the merit and fitness of the persons examined to discharge the duties of the employment sought by them All examinations shall be open to all applicants who have the minimum qualifications required by the rules and regulations but in no case shall an applicant for promotion be considered until such applicant shall have first served three years in the police force in which he seeks promotion Each applicant for examination shall be subject to the rules adopted by the commission and shall be required to submit to a physical examination before being admitted to the regular examination held by the commission Public notice of the time and place of every examination together with the information as to the kind of position or place to be filled shall be given by publication once in a newspaper or papers of general circulation in the county at least two weeks prior to each examination and a copy of the notice shall be prominently posted in the office of the commission or other public place The commission shall post in its office the eligible list containing the names and grades of those who have passed the examination for positions under this act In cases of applications for position to the police force soldiers as defined by the act approved the fifth day of August one thousand nine hundred forty-one (P. L. 872) entitled "An act providing for and requiring in certain cases preference in appointment to public position for honorably discharged persons who served in the military or naval service during any war in which the United States was engaged" shall be given the additional credits provided for by said act

Section 330.9 Application for Examination for Appointment to the Police Force Each person desiring appointment to the police force of counties of the second class shall apply to the commission for examination and shall file with the commission a formal application as provided by it and shall state under oath or affirmation (a) his full name and residence or post office address (b) his citizenship place and date of birth (c) his condition of health and physical capacity for public service (d) his business or employment and his residence for the past five years and (e) such other information as may be required by the commission's rules and regulations showing the applicant's qualifications for the position for which he is being examined

No person shall be eligible to apply for examination unless he is more than twenty-one years of age at the date of application and has been a resident of the county for at least two years immediately preceding his application unless no resident applicants are available

Section 330.10 Rejection of Applicant Hearing The commission may refuse to examine any applicant or if examined may refuse to certify after examination as eligible Anyone who is found to lack any of the minimum qualifications for examination prescribed in the rules and regulations adopted for the position or employment for which he has applied or who is physically disabled and unfit for the performance of the duties of the position to which he seeks employment or who is addicted to the habitual use of intoxicating liquors or drugs or who has been guilty of any crime involving moral turpitude or infamous or notorious disgraceful conduct or who has been dismissed from public service for delinquency or misconduct in office or who is affiliated with any group whose policies or activities are subversive to the form of government set forth in the Constitutions and laws of the United States and of Pennsylvania If any applicant or person feels himself aggrieved by the action of the commission in refusing to examine him or to certify him as eligible for examination they shall at the request of such person within ten days appoint a time and place where he may appear personally and with counsel whereupon the commission shall then review its refusal to make such examination or ceritfication and take such testimony as may be offered and then again render its decision

Section 330.11 Manner of Making Appointments Every position of employment (except that of superintendent of police or equivalent official) unless filled by promotion or reinstatement shall be filled only in the following manner The county commissioners shall notify the commission of any vacancy in the police force which is to be filled and shall request the certification of a list of eligibles The commission shall certify for each existing vacancy from the eligible list the names of three persons thereon who have received the highest average in the last preceding examination held within a period of one year next preceding the date of the request for such eligibles The county commissioners shall thereupon with sole reference to the merits and fitness of the candidates make an appointment from the three names certified unless they make objections to the commission as to one or more of the persons so certified for any of the reasons stated in the preceding section of this act As each subsequent vacancy occurs in the same or another position precisely the same procedure shall be followed

Section 330.12 Superintendent of Police etc In the case of a vacancy in the office of superintendent of police or equivalent official the county commissioners may nominate a person to the commission It shall thereupon become the duty of the commission to subject such person to a noncompetitive examination and if such person shall be certified by the commission as qualified he may then be appointed to such position and thereafter shall be subject to all the provisions of this act

Section 330.13 Probationary Period After the effective date of this act all appointments to any position in the county police force shall be for a probationary period of six months but during the probationary period an appointee may be dismissed only for cause as specified in section 330.10 of this act If at the close of the probationary period the conduct or fitness of the probationer has not been satisfactory to the board of county commissioners the probationer shall be notified in writing that he will not receive a permanent appointment Thereupon his appointment shall cease otherwise his retention shall be equivalent to a permanent appointment

Section 330.14 Provisional Appointments Whenever there are urgent reasons for the filling of a vacancy in any position in the police force and there are no names on the eligible list for such appointment the board of county commissioners may nominate a person to the commission for a non-competitive examination and if such nominee shall be certified by the commission as qualified after such non-competitive examination he may be appointed provisionally to fill such vacancy until an examination for such position can be held It shall thereupon become the duty of the commission within three weeks from date of provisional appointment to hold a competitive examination for such position and certify a list of eligibles to the board of county commissioners and they shall then make a regular appointment as prescribed in this act but nothing herein contained shall prevent the appointment without examination of persons temporarily as police officers in emergency cases for the suppression of riots tumults in times of war pestilence conflagration or public celebration

Section 330.15 Promotions Promotions shall be based on merit to be ascertained by written examinations to be prescribed by the board of county commissioners and held under the supervision of the commission All examinations for promotions shall be practical in character and such as will fairly test the merit and fitness of the persons seeking promotion No member of the county police force shall be eligible to take any promotional examination until after serving three years in the county police force for which such examination is held The board of commissioners shall have power to determine in each instance whether an increase in salary shall constitute a promotion

Section 330.16 Physical Examinations All applicants for examination shall undergo a physical examination which shall be conducted under the supervision of a doctor of medicine appointed by the board of county commissioners No person shall be eligible to take an examination until said doctor certifies to the commission that the applicant is free from any bodily or mental defects deformity or diseases that might incapacitate him from the discharge of the duties of the position desired in the police force

Section 330.17 Reducing in Rank Suspension Furloughing Discharging No person employed in a county police force shall be reduced in rank (except superintendent of police) suspended furloughed discharged or reinstated except for the following reasons (1) neglect or violation of any official duty (2) violation of any law of this Commonwealth which provides that such violation constitutes a misdemeanor (carrying both a fine and imprisonment) or a felony (3) inefficiency willful disobedience of orders or conduct unbecoming a police officer (4) drinking of intoxicating liquor while on duty or the use of which renders him unfit for duty when called upon In every such case of reduction of rank (except that of superintendent of police) suspension furlough or discharge a copy or statement of the reasons therefor and written answers thereto shall be furnished to the person sought to be reduced in rank suspended furloughed or discharged if he shall demand it He shall have the right to appeal to the commission for a hearing on the reasons or charges preferred against him Upon the written request for such a hearing the commission shall arrange for such hearing within ten days from receipt of such request At any such hearing the person against whom the charge or reason is made may be present in person and by counsel and the burden shall be upon the party making such charges or reasons to justify his action In the event the commission fails to uphold the action of the party who made the charges or reasons then the person against whom the charges were preferred shall be paid in full his salary for the time he may have been prevented from performing his usual employment as a police officer and no record of the case shall be placed against his service record in the police force If in the case of demotion of any employe (except that of superintendent of police) the charges or reasons are sustained then such person shall not be reverted below his seniority standing on the roster of the grades of patrolman in the police force A written record of all testimony shall be taken at any and all hearings held by the commission and such records shall be sealed and not available to public inspection in the event no appeals are taken from the action of the commission In the event the commission shall sustain the party who preferred the charges or reasons then the party against whom the charges or reasons were made shall have immediate right of appeal to the court of common pleas of the county Such appeal shall be taken within the period of ninety days from the date of entry by the commission of its final order and shall be by petition Upon such appeal being taken and docketed the court of common pleas shall fix a day for the hearing and proceed to hear the appeal de novo on the original record and the employe shall be reduced suspended furloughed or discharged in accordance with the order of the court of common pleas

Section 330.18 Reduction in Number of Policemen Reinstatement If for reasons of economy or other reasons it shall be deemed necessary by the board of county commissioners to reduce the number of policemen in the police force then such reduction in numbers shall be made in the following manner (a) if there are any policemen eligible for retirement under the terms of any retirement or pension system or law then such reduction in numbers shall be made by retirement if the party to be retired has served in the police force for a period of at least twenty-five years and reached the age of fifty-five years or over (b) if the number of policemen eligible for retirement is insufficient to effect the reduction in numbers decided upon by the board of county commissioners or if no retirement or pension system or law exists or if there are no policemen eligible for retirement or pension then the reduction shall be made by furloughing the last policeman including the probationers that have been appointed to the police force and continue in numerical order until the reduction decided upon by the board of county commissioners has been effected In any case where there has been more than one employe appointed at the same time then such furloughing shall be determined by the alphabetical order of the first letter of their surname In the event the said police force shall again be increased in numbers then the employes furloughed shall be reinstated in the inverse order of that in which they were furloughed before any new appointments shall be made to the police force

Section 330.19 Present Employes Exempted All members (except superintendent of police) of the county police force upon the effective date of this act shall continue to hold their positions and shall not be required to take any examination under the provisions of this act except such as may be required for promotion Any member of a county police force for counties of the second class who was dismissed from such force since January first one thousand nine hundred forty-three for any reason except those as specified in section 330.10 of this act shall be reinstated to his former position in the police force without any examination whatsoever All members of the county police force now or hereafter serving in the armed forces of the United States during the war in which the United States is now engaged shall upon their honorable discharge from such service and their return to such police force be reinstated in the force in a position of equal grade to that which he held immediately before entering the armed forces of the United States and shall continue to hold such position and shall not be required to take any examination under the provisions of this act except such as may be required for promotion

Section 330.20 Discrimination on Account of Religious or Political Affiliations No question in any form of application for any examination or in any examination shall be so framed as to elicit information concerning the religious or political opinions of any applicant nor shall inquiry be made concerning such opinions or affiliations and all such disclosures thereof shall be discountenanced

No discrimination shall be exercised threatened or promised by any person in or interested in the police force against or in favor of an applicant on the eligible list for appointment to or promotion in the police force because of his religious or political opinions or affiliations

Section 330.21 Penalties Any county commissioner or anyone acting for said board of county commissioners of counties of the second class who shall cause any person to be appointed to or promoted in a police force for such counties contrary to the provisions of this act or who violates any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than five hundred dollars ($500.00) or suffer imprisonment not exceeding one year or both

Section 330.22 Compensation of the Commission and its Employes The compensation to be received by members of the commission or any of the employes they may require for putting into effect the provisions of this act shall be fixed in the same manner as the compensation of other officers and employes are fixed in such counties

Section 2 Repeal and Construction All acts and parts of acts general special or local inconsistent with this act are hereby repealed It is the purpose of this act to furnish a complete and exclusive system for the appointment to reduction in rank (except that of superintendent of police) suspension from furloughing from dismissal from and reinstating to police forces for counties of the second class If any section or part of a section of this act shall be contested in the courts of this Commonwealth and declared to be unconstitutional then only such section or part of section of this act shall be so effected by the decision of the courts

Section 3 Effective Date The provisions of this act shall become effective immediately upon final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken:

Messrs. Heatherington, Goodwin and B. Frank Hunter requested a verification of the roll.

The roll was verified and was as follows:

YEAS—124

Alspach,
Auker,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Burns,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Fullerton,
Garber,
Gates,
Gillan,
Goodling,
Gorman,
Gross,
Gyger,
Hall,
Hamilton,
Hannon,
Hare,
Haudenshield,
Helm,
Hewitt,
Hocke,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
Maxwell,
McClester,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Connor,
O'Dare,
O'Neill,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarraf,
Schuster,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—47

Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Brunner, P. A.,
Cohen,
Coleman,
Cullen,
Duffy,
Elliott,
Goodwin,
Grant,
Green,
Haberlen,
Harris,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kolankiewicz,
Lane,
Leonard,
Longo,
Lovett,
McKinney,
Modell,
Mooney,
Moran,
Pettit,
Polaski,
Powers,
Reese, R. E.,
Reynolds,
Scanlon,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. BRETHERICK,

The House resumed the consideration on final passage of Senate Bill No. 174, as follows:

An Act to further amend section one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the creation of the office of district superintendent in districts where such office does not exist

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 491) is hereby further amended to read as follows

Section 1133 The board of school directors in every school district of the first and second class shall in every district of the third class may be a majority vote of all the members thereof elect a properly qualified person as district superintendent together with such properly qualified assistant district superintendents as it deems wise The directors of any school district required or electing to have a district superintendent of schools shall not participate in the election of a county superintendent and the public schools of any district which has a district superintendent shall not be subject to the superintendence or supervision of a county or an assistant county superintendent but shall all be under the supervision of the district superintendent

After the first day of July one thousand nine hundred and forty the board of school directors of any school district not employing a district superintendent at the effective date of this act shall before creating the office of district superintendent obtain the approval of the county board of school directors In the event that the county board of school directors shall refuse such approval or shall neglect to act upon the application of the board of school directors for a period of thirty days from the date of the submission of such application to it the board of school directors may employ one or the other but not both of the following remedies

(1) It may appeal to the Superintendent of Public Instruction who may sustain or reverse the action of the county board and in the event of reversal shall grant approval to the creation of the office of district superintendent in such district or

(2) It may submit the question of the creation of the office of district superintendent in such district to a vote of the qualified electors of the district If a majority of such electors voting on the question shall favor the creation of such office the same shall thereby be created The board of school directors shall certify their desire to create said office to the county commissioners who shall cause the question to be submitted in the manner provided by the election laws of this Commonwealth at the next general municipal or primary election occurring more than thirty days after such certification

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Auker,
Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Boory,
Bradley,
Bretherick,
Brown,
Brunner, P. A.,
Burns,
Cohen,
Coleman,
Cooper,
Corrigan,
Costa,
Cullen,
Dalrymple,
Dennison,
Duffy,
Elliott,
Ewing,
Finnerty,
Fleming,
Gillan,
Goodwin,
Gorman,
Grant,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hunter, B. F.,
Hunter, W. M.,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kline,
Kowalski,
Krepps,
Lane,
Laughner,
Lee,
Leonard,
Levy,
Leydic,
Longo,
Lovett,
Mahany,
Maxwell,
McMillen,
Mintess,
Modell,
Mooney,
Moran,
Muir,
Munley,
Murray,
Nowak,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Reese, R. E.,
Reynolds,
Riley,
Root,
Salus,
Sarraf,
Scanlon,
Schuster,
Snider,
Sollenberger,
Sorg,
Stank,
Swope,
Tate,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Worley,
Wright,
Yester,

NAYS—47

Alspach,
Bonawitz,
Bower,
Brice,
Cadwalader,
Calvin,
Campbell,
Denman,
Depuy,
Elder,
Ely,
Erb,
Figlock,
Foor,
Fox,
Fullerton,
Goodling,
Gross,
Hewitt,
Holmes,
Huntley,
Imbrie,
Leisey,
Livingstone,
Madigan,
McClester,
McKinney,
Miller,
Moore,
Moser,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Serrill,
Simons,
Smith,
Stockham,
Taylor,
Wallin,
Wood, N.,
Yeakel,
Fiss,
Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 592, entitled:

An Act to further amend section six hundred twenty-one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permitting certain minors under eighteen years of age to operate certain commercial motor vehicles as paid operators for the duration of the present war and six months thereafter

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. ERB. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of further study and possible amendment.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 663, entitled:

An Act to further amend Section 2 to amend Sections 3 5 and 7 to add Section 8.1 and to amend Section 11 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by reducing the number and changing the manner of appointment of members of said board further prescribing their powers and duties fixing the qualifications and requiring examinations of employes of the board further regulating the making of assessments and valuations of real property and imposing duties on certain county officers and on judges of the court of common pleas

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BENTLEY. Mr. Speaker, I ask leave to interrogate the sponsor of this bill, the gentleman from Allegheny, Mr. Hannon.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. HANNON. I will, Mr. Speaker.

Mr. BENTLEY. I would ask the gentleman from Allegheny, Mr. Speaker, if House Bill 663 changes the number and manner of appointment of assessors of real estate in counties of the second class.

Mr. HANNON. It does, Mr. Speaker.

Mr. BENTLEY. I would further ask the gentleman if the bill defines the powers and duties of such assessors?

Mr. HANNON. It does, Mr. Speaker.

Mr. BENTLEY. And does the bill also define the qualifications of assessors in counties of the second class?

Mr. HANNON. It does, Mr. Speaker.

Mr. BENTLEY. Does it provide for examinations for such assessors and members of the board?

Mr. HANNON. It does, Mr. Speaker.

Mr. BENTLEY. And it also sets up a manner and a system for making assessments and valuations of real estate in counties of the second class?

Mr. HANNON. That is right, Mr. Speaker.

Mr. BENTLEY. I would ask the sponsor of the bill, if he has it before him, to refer to section 2 on page 2 of the bill, and I would ask the gentleman if it is not provided in that section that the new board shall consist of three members, changing the old law from seven.

Mr. HANNON. That is right, Mr. Speaker.

Mr. BENTLEY. Does the bill set up any qualifications as to being real estate men for such members of the board, Mr. Speaker?

Mr. HANNON. It does, Mr. Speaker.

Mr. BENTLEY. Is it not a fact, Mr. Speaker, that the three members of the board shall all be real estate men of not less than ten years' practical experience?

Mr. HANNON. That is right, Mr. Speaker.

Mr. BENTLEY. I would then ask the gentleman, Mr. Speaker, whether or not the board of county assessors for cities of the second class does not also have the duties of making assessments of personal property as distinguished from real estate?

Mr. HANNON. That is right, Mr. Speaker.

Mr. BENTLEY. Does the gentleman anywhere in his bill provide for a person qualified to make personal property assessments?

Mr. HANNON. There is no provision in this bill, Mr. Speaker, for the reason that the matter of evaluating personal property is already determined by the value set on stocks, bonds, and mortgages on the face of the stocks, bonds and mortgages, which do not require any such qualification.

Mr. BENTLEY. I would further ask the gentleman, Mr. Speaker, whether he does not provide in section 2 on page 3 of his bill for the manner of appointment of the board of assessors in counties of the second class?

Mr. HANNON. That is right, Mr. Speaker.

Mr. BENTLEY. And am I correct, Mr. Speaker, in stating that the board of property assessors in counties of the second class under this bill shall be appointed, one by the judge of the Court of Common Pleas, one by the county commissioners, and one by the county commissioners on the nomination of the city council of cities of the second class?

Mr. HANNON. That is right, Mr. Speaker.

Mr. BENTLEY. I would further ask the gentleman, Mr. Speaker, whether or not real estate within cities of the second class is not assessed by this board of property assessors?

Mr. HANNON. That is right, Mr. Speaker.

Mr. BENTLEY. I would then ask the gentlemen, Mr. Speaker, why he gives to the council of cities of the first class alone the power of nomination and not the power of appointment, since cities of the second class are concerned?

Mr. HANNON. I took that up with the Legislative Reference Bureau, and they told me that that is the proper way and it is the only Constitutional way to word that particular section.

Mr. BENTLEY. Would the gentleman then say that an appointment by the mayor of a city of the second class would be unconstitutional?

Mr. HANNON. I am not saying it is or is not unconstitutional. What I say is this, that I took the matter up with the Legislative Reference Bureau. We worded it and reworded it and finally had it just as it now appears in the bill.

Mr. BENTLEY. Mr. Speaker, I would then ask the gentleman to refer to page 4 of the bill and ask him for what length of term the three-member Board of Property Assessors provided for in his bill are to be appointed, and when the effective dates of their appointment are to be made?

Mr. HANNON. The new board of three members shall be appointed immediately, one of the members to serve for a period of six years, one to serve for a period of five years, and one to serve for a period of four years.

Mr. BENTLEY. And what is the effective date of those appointments?

Mr. HANNON. The effective date of those appointments depends on when and if the present board is removed. Otherwise the effective date would be at the expiration of the term of the present board.

Mr. BENTLEY. Does not the divided period of terms of appointment, of six, five and four years apply only in case the present board is removed?

Mr. HANNON. Six, five, four years applies.

Mr. BENTLEY. I would then ask the gentleman, Mr. Speaker, which one of the three appointing heads shall appoint which member to a six year period, which of the three heads shall appoint them to a five year period and which member shall appoint for a four year period?

Mr. HANNON. That is more of less a catch question that I expected. It seems to me where we have a body of men such as the Court of Common Pleas, the City Council, and the Board of County Commissioners, receiving salaries of fifteen thousand dollars a year, they should be capable of determining which one of these men is qualified to serve for six years, which for five years and which for four.

Mr. BENTLEY. I suggest to the gentleman that the Common Pleas Court, the County Commissioners, and the City Council of the City of Pittsburgh will have to operate under the terms of this act, and I would ask him to refer me to that section or that clause of the act in which it is provided as to which body shall appoint for the six year term, which for the five and which for the four year period.

Mr. HANNON. That is not covered in the act and I do not think it is necessary that it be covered in the act, and that again was discussed with the Legislature Reference

Bureau. They felt that the best thing to do in this section was to let them get together there in Pittsburgh and let them decide who should be appointed for a six, a five, and a four year period.

Mr. BENTLEY. I would further ask the gentleman, Mr. Speaker, whether the members of the board may be of the same political party.

Mr. HANNON. Under this bill one of the three members must be of a political party different from the other two.

Mr. BENTLEY. Will the gentleman then state for the information of the House which of the three appointing heads will appoint the minority member and which of the three appointing heads will appoint the majority members?

Mr. HANNON. Again, Mr. Speaker, it seems to me that we are making a mountain out of a mole hill. That too was referred to the Legislative Reference Bureau, and we were advised that that wording sufficiently covers who appoints the minority and the majority members of the board.

Mr. BENTLEY. Will the gentleman agree that it is possible under this bill, Mr. Speaker, that the three heads of appointing power may not be able to agree on who shall be the minority member?

Mr. HANNON. I cannot possibly realize, as I said before, that educated men receiving salaries of fifteen thousand dollars would not be able to get together and appoint a board of three members.

Mr. BENTLEY. Mr. Speaker, I would refer the gentleman to page 6 of his bill, subsection (f), and I would ask the gentleman under that section who has the power of dismissal of members of the Board of Property Assessment in counties of the second class?

Mr. HANNON. Under this section, Mr. Speaker, the appointing power is the dismissing power.

Mr. BENTLEY. Did the gentleman say, Mr. Speaker, that the appointing power has the power of dismissal?

Mr. HANNON. Yes, Mr. Speaker.

Mr. BENTLEY. Will the gentleman refer me to the section or the clause in that section which so provides, Mr. Speaker?

Mr. HANNON. All you have to do, Mr. Speaker, is to read section (f). The gentleman as an educated lawyer certainly could read from that section as to who has the appointing power.

Mr. BENTLEY. Mr. Speaker, I shall then read for the House and for the gentleman the last sentence in clause (f), "The charges against the board members shall be made known at the meeting and it shall require a vote of two members of the committee to discharge a member of the board." I would ask the gentleman what committee is referred to when it is provided that it shall require a vote of two members of that committee to discharge?

Mr. HANNON. I will refer the distinguished gentleman from Allegheny County, Mr. Speaker, to section (f). Just reading the last two lines of any paragraph or any clause does not give the whole story. The thing should be read as a whole.

Mr. BENTLEY. Then with you indulgence, Mr. Speaker, I will read clause (f):

> "No board member shall be discharged for political reasons, and no board member shall be discharged until after a public hearing before a joint meeting of a committee to be composed of one judge of the Court of Common Pleas of the county to be designated by the president judge, one county commissioner to be chosen by the Board of County Commissioners, and one person to be appointed by the county commissioners upon the nomination of the council or councils of the city or cities of the second class within the county if such there be. The charges against the board member shall be made known at the meeting, and it shall require a vote of two members of the committee to discharge a member of the board."

I would ask the gentleman if in the light of that he can still say that this committee is the appointing power as it is the dismissing power?

Mr. HANNON. Very definitely, Mr. Speaker, it seems to me to be covered in that section. In the first place, Court of Common Pleas would select a member from that branch. The Board of County Commissioners would select one member, and the Board of County Commissioners on the nomination of city council would select another. When it comes to discharging any one or all of these three members we have again a committee comprised of a representative of the Common Pleas judges, one of the county commissioners and a member of city council. Certainly the gentleman can readily see that the power of dismissal is in the hands of the same body that has the power of appointment, and I think that is very good home rule.

Mr. BENTLEY. Mr. Speaker, does the gentleman mean to say that the president judge, who is by this bill made a member of the committee, is the same person as the judges, fifteen of them, in the Court of Common Pleas?

Mr. HANNON. Mr. Speaker, it is the same old idea of making a mountain out of a mole hill. This thing was thoroughly discussed over at the Legislative Reference Bureau, and if we say the same judge who makes the appointment will have to dismiss any members of the board, should the event arise that that judge would not be living at the time, that is the reason the Legislative Reference Bureau worded it in this way, and that is the best way.

Mr. BENTLEY. I agree with the gentleman, Mr. Speaker, that if the same judge made the appointment and the same judge made the dismissal it would conform with Article VI, Section 4 of the Constitution, which provides that the appointing power shall also be the dismissing power, but how does the gentleman in the face of specific language say that the judges, all of them, shall have the appointing power, and the president judge shall be one member of the committee which has the dismissing power? I just can't follow it. I would ask the gentleman too, if in this bill the same person is required to be nominated by councils of the cities of the second class as a member of this committee who is nominated by councils of cities of the second class as a member of the board?

Mr. HANNON. I do not understand that question at all.

Mr. BENTLEY. Will the gentleman agree with me that the council of the city of Pittsburgh under this bill has the right to nominate a man, a member of the board?

Mr. HANNON. That is right, Mr. Speaker.

Mr. BENTLEY. Does the gentleman say that the same man would necessarily be a member of the committee sitting as a board to fire or dismiss under his bill?

Mr. HANNON. If he is the same man; if he happens to be a member of council.

Mr. BENTLEY. Will the gentleman agree that that might be a different person?

Mr. HANNON. Well, yes, Mr. Speaker.

Mr. BENTLEY. Then how can he say—

Mr. HANNON. It would still be city council. The three bodies would be the Court of Common Pleas, the County Commissioners and the city council. These three bodies made the appointment, and these three bodies of appointment through their representatives on the committee also would be the dismissing power.

Mr. BENTLEY. Mr. Speaker, I would then refer the gentleman to section (g) on page 6 and ask him what provision is there for the Board of Property Assessment to meet with these appointing heads to discuss the correctness and equality of the assessments?

Mr. HANNON. In order to save time, Mr. Speaker, I will just read that section:

> "The members of the board shall meet with the Board of County Commissioners during the first week of March and the first week of November of each year for the purpose of discussing the operation of the assessment department, including a general check on the correctness and equality of assessments, the number of appeals, the total amount of assessment increase and decreases and to make criticisms, suggestions and recommendations to improve the accuracy, efficiency and procedure of the assessment department."

Mr. Speaker, I might say in all my contacts with this particular body, particularly within the last seven years, never once until possibly within the last few months has the Board of Appeals and Review appeared before the county commissioners. It is required under this bill, and it is an improvement.

Mr. BENTLEY. I would ask the gentleman, Mr. Speaker, whether under his bill the gentleman does not provide that one member of the board shall be directly appointed by the county commissioners, and the other two appointing heads, the judges of the Court of Common Pleas and the nominee of the city council of the city of Pittsburgh?

Mr. HANNON. The county commissioners, as we all know, are held responsible for the conduct of most of these departments in the county. We felt and the Legislative Reference Bureau also felt that this assessment body, due to the fact that practically all of the revenue is derived from real estate, that this board should come under the direct jurisdiction of the county commissioners for their appointment.

Mr. BENTLEY. Will the gentleman agree that the assessments of the city of Pittsburgh might be very seriously affected by this Board of Property Assessment and their assessors?

Mr. HANNON. Mr. Speaker, the only effect upon the future that this board will have, either within the city of Pittsburgh or outside the city of Pittsburgh, is to improve and correct the political adjustment and unequal assessment which now exists. That is exactly what I now do with this bill.

Mr. BENTLEY. I suggest, Mr. Speaker, that certainly the City of Pittsburgh is a member with equal standing with all other members. The real estate values within the City of Pittsburgh are certainly entitled to almost, if not entirely as much consideration as the values in the county outside of the City of Pittsburgh. Certainly it would seem that that member should have the right of consultation with the Board of Property Assessment just as the county Commissioners have.

Mr. HANNON. The City Council, Mr. Speaker, has representation on this same board, something that does not exist now. Under the present law the County Commissioners appoint the entire board. The City Council or the Mayor of Pittsburgh were unable to obtain from the Board of County Commissioners any statement whatever from the present board, so I think the gentleman from Allegheny will have to agree that we take care of the City of Pittsburgh in this bill much better than they did under the old law.

Mr. BENTLEY. I ask the gentleman then if on page eight of the bill, lines sixteen to twenty-four there is any provision made for publication of the questions to be submitted to employees of the Board after their examination has been taken.

Mr. HANNON. There is, Mr. Speaker.

Mr. BENTLEY. Will the gentleman explain the validity of advertising the questions for examination after the examination has been taken?

Mr. HANNON. The reason we put this clause in the bill is this, we have found from experience that when politicians hold an examination for politicians, the questions they ask are so easy and so simple and so obvious that the politicians who take the examination cannot possibly fail. As a safeguard against such instances we require immediately upon the completion of the examinations that the questions asked shall be published.

Mr. BENTLEY. I would ask the gentleman who is to prepare the questions that are to be submitted to applicants?

Mr. HANNON. Certainly I would expect the Board of Property Assessments, Appeals and Review to prepare the questions.

Mr. BENTLEY. Does the gentleman then not trust the Board of Assessment and Review that he is setting up in his bill?

Mr. HANNON. Trusting a Board, Mr. Speaker, is one thing, and having everything done one hundred per cent is another thing. I think the safeguards surrounding this Board in their work is for the benefit of what we are trying to do.

Mr. BENTLEY. Would the gentleman then not place some safeguards around the appointments that I have suggested in the previous question?

Mr. HANNON. There certainly is a safeguard in placing one in the hands of the Court of Common Pleas, one by the county commissioners and one by city council, I feel that you could hardly fail to get good representatives, very able men.

Mr. BENTLEY. I would then refer the gentleman to page seven of the bill and ask him if there is a provision included in there which uses the term "Which shall include the City of Pittsburgh"?

Mr. HANNON. That is right, Mr. Speaker.

Mr. BENTLEY. Is the gentleman familiar with Article III, Section 7 of the Constitution, which provides that there shall be no special or local legislation concerning cities, counties or other political subdivisions?

Mr. HANNON. Again that matter was discussed with the Legislative Reference Bureau. They worded it this way and they told me it is a constitutionally sound bill.

Mr. BENTLEY. I would ask the gentleman if in any bill that he has seen in his tenure of office in the House, he has seen or heard the name of any city in such legislation?

Mr. HANNON. Mr. Speaker, I have read very few bills and I am not a lawyer, but I certainly feel that common horse sense and ordinary reasoning would convince anyone there is nothing wrong in mentioning the name of the city of Pittsburgh in this particular clause. Let me explain further. Under the old act of 1939 the Board of Assessments, Appeals and Review of Allegheny County were permitted to assess one third of the county each year after the creation of the regular triennial assessment. They have failed to do that, so we have corrected the old act to read now that instead of "They may assess one-third of the county each year" we say "shall assess one-third of the county each year" starting in 1944, and due to the fact, Mr. Speaker, that thousands and thousands of assessed valuations of the City of Pittsburgh were increased in 1943 without any notification whatsoever to taxpayers we feel that it is most important and necessary that Pittsburgh be assessed again next year. Consequently we include the City of Pittsburgh in the one-third of the county to be assessed.

Mr. BENTLEY. I have no quarrel with the gentleman's application of real estate assessments in the City of Pittsburgh. I am discussing the manner in which this legislation is drawn, Mr. Speaker. I ask if on page 2 and on page 3 of his bill he did not refer to cities of the second class rather than Pittsburgh, to which he here refers?

Mr. HANNON. That is true, Mr. Speaker.

Mr. BENTLEY. I would ask the gentleman then why he in those instances refers to cities of the second class, as a class, and in this case refers to the City of Pittsburgh by name?

Mr. HANNON. My answer to the gentleman is this, that the Legislative Reference Bureau thought it was the proper thing to do, but if Mr. Bentley, Assistant Solicitor of the city of Pittsburgh, if this bill passed here tonight and he wants to amend it, he can amend it over in the Senate to the extent that the Legislative Reference Bureau agrees that that is the thing to do, and I cerainly will not object to it.

Mr. BENTLEY. I might say in answer to that that I like constitutional legislation. I think that is the answer to it. I would ask the gentleman to refer to page 11, clause (b) and ask him if this is not the tenor of that clause, and I shall read it:

> "In assessing new buildings in the course of construction the structure shall not be considered a building until the structure is completed or ready for occupancy, and only a nominal assessment of one hundred dollars shall be carried on such structure until it is completed or ready for occupancy."

I would ask the gentleman if that section would make any difference between an edifice costing one hundred thousand dollars and a small home costing fifteen hundred dollars, in the amount of assessment that is to be carried on it until it is ready for occupancy?

Mr. HANNON. Mr. Speaker, that sounds like a very, very hard question, but in reality it is a very simple one. We have found as a result of study and years of experience that assessors in Allegheny County going out to assess buildings in the course of construction, were in the habit of assessing certain buildings which were being erected by men who were wrong politically; they would assess those buildings at what was the full value even before the building was completed, whereas in other cases where they happened to be friends of the right political party they carried assessments anywhere from one hundred dollars to two hundred or three hundred dollars, on precisely the same type of building. Now, we find that it certainly would be better if we should set a certain nominal valuation on any building in the course of construction because it actually has little or no market value until it is completed. Furthermore, we have referred to the Legislative Reference Bureau repeatedly as to its constitutionality, and they have definitely ruled that it is constitutional.

Mr. BENTLEY. I would ask the gentleman, Mr. Speaker, if the buildings to which he refers in that section are places of religious worship, places of burial, not used or held for private or corporate profit, or institutions of purely public charity or real and personal property owned, occupied and used by any branch, post or camp of honorably discharged soldiers, sailors and marines, within the meaning of Article IX, Section 1 of the Pennsylvania Constitution.

Mr. HANNON. This clause is new buildings in course of construction.

Mr. BENTLEY. It applies to all new buildings, and not those which are exempted?

Mr. HANNON. Under the Constitution we have exemptions, of course. Under the act that is covered in the Act of 1939.

Mr. BENTLEY. I would ask if it conforms with that part of Article IX, Section 1 which provides

> "All taxes shall be uniform, upon the same class of subjects within the territorial limits of the authority levying the tax, and shall be levied and collected under general laws"?

Mr. HANNON. It would be far more uniform, it seems to me, by placing a one hundred dollar assessment on all buildings in course of construction than they are now doing under the present law, under which they are assessed anywhere from fifty thousand dollars on one building in course of construction and another building of the same type exactly assessed at five hundred dollars. Certainly there is no uniformity there. Again I must remind the gentleman that the Legislative Reference Bureau has ruled that that clause is constitutional.

Mr. BENTLEY. Would the gentleman give the opinion to this House that it is uniform to place a one hundred dollar assessment on a building which will cost fifty thousand dollars, and which is not ready for occupancy, and would also place a one hundred dollar assessment on a small home not ready for occupancy and costing fifteen hundred dollars?

Mr. HANNON. The gentleman is making a very grave error in talking costs. Assessments are not based on costs, they are based on value. Again I say any building in course of construction, it is very hard to determine its value under the act. They would have greater uniformity by making this nominal assessment until the building is completed, and then it is assessed at its full market value.

Mr. BENTLEY. Would the gentleman say that if either one of those buildings would never be completed, the value would be the same?

Mr. HANNON. No, I wouldn't say that.

Mr. BENTLEY. Would the gentleman say the value would be one hundred dollars?

Mr. HANNON. It is hard to picture a building that would be incompleted for a long period of time before being ready for occupancy, and the Legislative Reference Bureau covered that subject by putting in the words "completed or ready for occupancy."

Mr. BENTLEY. I am not a real estate man, but I am familiar with one property, a large residence that was uncompleted for a number of years, and I refer to the Lovejoy Mansion. Would the gentleman say that in that case the value should be one hundred dollars?

Mr. HANNON. There is no law, Mr. Speaker, that has ever been written that covers every single individual case, and Mr. Bentley knows that a lot better than I do.

Mr. BENTLEY. In subsection (e), page 12, does not the gentleman provide in this bill:

> In any case where it is found that certain properties anywhere in the county are assessed glaringly higher than other properties of equal or higher market value are assessed in any other section or sections of the county, such inequality of assessments shall be sufficient reason for the dismissal of the members of the board from office, and upon reasonable proof of such inequalities it shall be the duty of the committee hereinbefore provided for such purpose to remove the members of the board from office within ninety days after proof of such inequalities—

Does that section of the bill so provide?

Mr. HANNON. That is right, Mr. Speaker.

Mr. BENTLEY. I would ask the gentleman to state to the House how he defines the term "glaringly higher than other properties."

Mr. HANNON. The word glaring in this case has already been defined and proved to the sorrow of thousands of taxpayers in Pittsburgh and Allegheny County. For instance, a committee appointed by the present board of county commissioners to investigate themselves, that is to investigate the county commissioners and their appointees, even they made the report the other day that they found land, thousands of lots in the city of Pittsburgh and Allegheny County, some assessed as low as thirty dollars a front foot while other lots of comparable value in poor sections of the city of Pittsburgh are assessed as high as two hundred dollars a front foot. I would say, Mr. Speaker, that certainly would be a glaring inequality.

Lest perhaps Mr. Bentley is not convinced as to whether we have other glaring inequalities I will read to him about four or five ordinary examples. Here we have a house in the eighth ward of the city of Pittsburgh which has an assessed valuation of $11,960. It sold for $6,000. Here we have another one, assessed value $13,500, sold for $7,000. Another one, assessed value $12,000, sold for $6,000. One more, assessed value of $11,000, sold for $7,500. Now these are certainly glaring inequalities.

Mr. BENTLEY. Mr. Speaker, I would further inquire of the gentleman whether he requires in the placing of assessments upon properties within counties of the second class,—whether or not he requires obsolescence and depreciation to be computed in the assessment?

Mr. HANNON. We do, Mr. Speaker.

Mr. BENTLEY. Has the gentleman defined in his bill, the period for obsolescence?

Mr. HANNON. I didn't get that question, Mr. Speaker.

Mr. BENTLEY. Does the gentleman define the term of obsolescence or depreciation in his bill?

Mr. HANNON. In this bill it is first provided that the members of the Board of Property Assessment, Appeals and Review shall have a minimum of ten years experience as an active real estate broker, and the assessors shall under this bill be required to take an examination to determine their fitness to assess and value real estate. Every real estate man and every appraiser knows very well what obsolescence and depreciation mean. It seems to me it should not be necessary to define these terms in this bill.

Mr. BENTLEY. Is the gentleman familiar with the period of life permitted under the Bureau of Internal Revenue of the Federal government?

Mr. HANNON. I am very much familiar with it, but that would not apply at all in the case of assessment of property for this reason: one man can have a house actually ten years old, and another man can have another house that is about ten years old, and yet by reason of the fact of one man taking care of his house while the other man has a large family that abuse the house, the one house can have an effective age of five years while the other one has an effective age of fifteen years. Every real estate man and every appraiser understands that.

Mr. BENTLEY. I thank the gentleman from Allegheny, Mr. Speaker. Mr. Speaker, I have gone into this somewhat lengthy interrogation, and I shall accordingly cut short my remarks on the bill. I should like to inform the House, however, that the Act of 1939 which is now being amended was sponsored by a Republican. It is a Republican measure, passed at a time when the Republican party controlled the Governor, the Senate and the House. It is that act just now being sought to be amended, and I have gone into its intentions at some length in this interrogation because this is not a partisan matter. I would be one of the first to admit that the Act of 1939 needs many corrections. We have amended it in three particulars in bills which have passed this House. But this bill is certainly not any correction; this bill would create a hodge-podge, a mixup, a tower of Babel in the assessments of properties in counties of the second class that would make the present situation seem tame by comparison.

I have gone over the bill very carefully with the gentleman. I think no Member of this House can help but agree that it is very possible that under this bill as drawn there would be a stalemate on the appointment of property assessors, but the gentleman passes lightly over that. He says, of course ,these judges, these commissioners, this city council can get together and appoint three men, and in the next breath he talks about politicians playing politics. How could they possibly get together and appoint a minority member?

Every Member of the House must recognize that all three of them may not want to appoint three Republicans or three Democrats. This is a serious matter; this can disrupt the entire property assessment situation in the second largest county of this state, and here we find ourselves with a possibility of not having a property assessment board if this bill is enacted into law.

I pointed out three constitutional flaws in the bill. I do not have to belabor the point that it is ridiculous, it is untrue, it is impossible to say that a building in process of construction and not ready for occupancy shall be assessed at a value of one hundred dollars, and that the gentleman admitted, whether it cost one hundred thousand dollars or fifteen hundred dollars. On that basis alone the act should fall and will fall, and we will then find the city of Pittsburgh and the county of Allegheny without any assessment structure at all. That provision is directly in contravention of article 9, section 1 of the Constitution which provides for uniform taxation within the State, and no one can bring it within that provision.

I have pointed out to the gentleman another fatal clause in his bill. Many of the Members of this House have served for more sessions than I, and I believe they have never seen a city named in a bill, and yet we find that here. That is special and local legislation.

PARLIAMENTARY INQUIRY

Mr. LOVETT. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Westmoreland will state his question of parliamentary inquiry.

Mr. LOVETT. Mr. Speaker, is it permissible at this time to stop debate on this bill and recess this House until eleven-thirty, that we may hear the President's report on the war?

The SPEAKER. The Chair would inform the gentleman that the Chair is unable to decide that question. That is a question for the House to decide. The bill is before the House and the gentleman from Allegheny has the floor.

Mr. BENTLEY. I shall yield if that is the sense of the House, Mr. Speaker.

The SPEAKER. We are still considering House Bill 663, Printer's No. 444.

Mr. LOVETT. Mr. Speaker, since the gentleman from Allegheny has agreed to yield, is it in order that I make such a motion, that this House do now recess until eleven-thirty o'clock, that we may hear the President's radio address on the condition of the nation, the war?

The SPEAKER. The Chair would inform the gentleman from Westmoreland, Mr. Lovett, that that motion is not in order.

Mr. BENTLEY. Mr. Speaker, I was speaking on the provision prohibiting special and local legislation. I do not believe that any fair minded Member of this House can help but recognize that here is a section of the constitution contravened by this bill. Last week I pointed out beyond question that the bill in its present form violates Article VI, Section 4, which provides that the appointing power shall have the power of dismissal. How can it be said that this committee, composed very likely of members other than the Board of Assessment, shall be a board or a committee which shall discharge the members.

There is not one but three constitutional provisions violated by this bill. I submit that it is a very rare thing indeed which violates, not one provision of that instrument but violates three provisions of the Constitution.

The other inconsistency of the bill, I need not belabor the point again. The House is very familiar with it and I have only this to say, I have not gone into the merits of the bill at all, but I think the House should know that every newspaper in the city of Pittsburgh has pointed out that this is unnecessary and bad legislation.

I made the argument this afternoon that when newspapers of a city say that legislation is good and should be passed, that fact is offered to this House as a reaon for pasing a bill. I submit to the House that there we have the press of the great city of Pittsburgh and the county of Allegheny uniformly pointing its finger and saying that this is not good legislation, I think that is entitled to weight in this House.

One other thing that should be brought out and that is this, there has been in the city of Pittsburgh during the past several months an unbiased board of real estate experts examining the assessment situation in the county of Allegheny. Those gentlemen have come out with an honest-to-God report. They name names, they put the finger on flaws in the system, and they made a far more thorough and a far better study of this bill than could possibly be made by any single member of this House or by any group of Members, because those gentlemen are familiar with the situation in the county of Allegheny in the city of Pittsburgh, and by virtue of their profession they are experts. They have come out with a report, and it is on the basis of their report that the press of the county is uniformly against the bill. I might say further that the Real Estate Board of the city of Pittsburgh is against this bill.

It was said, Mr. Speaker, when this board was first appointed that it would be a whitewash board. I think even Mr. Hannon, the sponsor of the bill will now admit that it was no whitewash report that came from that committee. The commissioners had nothing to do with the appointment. They merely asked the head of the Pittsburgh Real Estate Board, I believe I am right in this, and if I am wrong, I will stand corrected, to select his own committee. It was an impartial and non-political committee which passed on this. I say to every Member of this House that we are not dealing in pennies or dollars, but we are dealing in millions of dollars when we play around with the assessments in the county of Allegheny.

I think you must put aside any partisan feeling you may have because this is not a partisan bill. There can be one answer and only one, and that is we cannot afford by tinkering with such a bill as this to disrupt, disorganize and probably ruin the assessment system in Allegheny county, and I therefore ask every member of this House to defeat this bill.

BILL POSTPONED

Mr. FLEMING. Mr. Speaker, due to the lateness of the hour and due to the fact that several of my colleagues in addition to myself are going to make speeches on this bill, I now move you that this bill be put on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Mr. BENTLEY. Mr. Speaker, I always like to oblige my colleagues from Allegheny county on either side of the House, but I have a very good recollection of another bill in which I was concerned, where after debate it was moved that the bill be placed on the postponed calendar.

The bill lay on the postponed calendar for several weeks and then was finally brought out when the membership had forgotten all about the bill. I think I have pointed out some very vital defects in this bill. I do not want it to lie in the minds of the Members and possibly be forgotten, and I would, therefore, object to the motion to put this bill on the postponed calendar.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 609, as follows:

An Act to further amend sections seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Jutice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sectoins seven and thirteen of the act approved the third day of May one thousand nine hundred thirty-three (P. L. 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon the Pennsylvania Liquor Control Board quarter sessions courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1827) are hereby further amended to read as follows

Section 7 License Hearings Appeals from Refusal of Licenses The board may of its own motion and shall upon the written request of any applicant for license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examinations by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order Any person aggrieved by the refusal of the board to issue renew or transfer a license may appeal to the court of quarter sessions or the county court of Allegheny County in which the premises applied for are located within twenty days of date of refusal Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board The court shall hear the application de novo at such time as it shall fix of which notice shall be given to the board The court shall either sustain the refusal of the board or order an issuance of the license to the applicant There shall be no further appeal Any appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

Section 13 Revocation and Suspension of Licenses Upon learing of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws or any intentional violation of any laws of this Commonwealth or of the United States of America relating to the tax-payment of liquor or malt or brewed beverages by any licensee his officers servants agents or employes or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the late of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licnsed premises When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose licnse is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the license or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within the said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses In those cases where the board shall suspend a licene the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of a manufacturer the offer in compromise shall be at the rate of one hundred dollars ($100) for each day of suspension in the case of an imposing distributor thirty dollars ($30) and a distributor twenty dollars ($20) for each day of suspension and in the case of a retail dispenser or transporter for hire ten dollars ($10) for each day of suspension No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of 100 days

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair requests the gentleman from Lancaster, Mr. Royer, to preside.

MR. ROYER IN THE CHAIR.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 596, as follows:

An Act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties" as last reenacted and amended by the act approved the sixteenth day of June one thousand nine hundred thirty-seven (P. L. 1762) are hereby further amended to read as follows

Section 404 License Hearings Appeals from Refusals of Board to Issue Renew or Transfer Licenses The board may of its own motion and shall upon the written request of any applicant for club hotel or restaurant liquor license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for liquor license or for renewal or transfer thereof of notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant Any applicant who has appeared before the board or any agent thereof at any hearing as above provided who is aggrieved by the refusal of the board to issue a hotel or restaurant or club liquor license or to renew or transfer a hotel restaurant or club liquor license may appeal within twenty days from date of refusal to the court of quarter sessions or the county court of Allegheny County of the county in which the hotel or restaurant or club is located Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice The court shall hear the application de novo at such time as it shall fix of which notice shall be given to the board The court shall either sustain the refusal of the board or order the issuance of the license to the applicant There shall be no further appeal Any appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

Section 410 Revocation and Suspension of License Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws or any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor or malt or brewed beverages by any licensee his officers servants agents or employes or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citation shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the court of quarter sessions or the county court of Allegheny County in the same manner as herein provided for appeals from refusals to grant licenses Such appeal shall act as a supersedeas unless upon sufficient cause shown the court shall determine otherwise In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of hotel restaurant and club licensees the offer in compromise shall be at the rate of ten dollars for each day of suspension and in the case of importers and sacramental wine licensess the offer in compromise shall be at the rate of thirty dollars per day No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of one hundred days

The jurisdiction of the county court of Allegheny County conferred hereby shall be exclusive within the territorial limits of its jurisdiction

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200.

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 845, as follows:

An Act to amend sections six hundred seventeen and six hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by removing certain restrictions as to the location of contagious disease hospitals and authorizing counties to join with any other municipality or hospital in establishing a joint contagious disease hospital

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections six hundred seventeen and six hundred twenty-one of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" are hereby amended to read as follows

Section 617 Contagious Disease Hospital Whenever in the opinion of the board of commissioners a hospital for the care of contagious diseases appears to be necessary or advisable the board of commissioners may either locate such a hospital on the grounds of the county poor-farm or may purchase a suitable location in some other locality [provided such locality is not within or close to the built-up portion of any city borough or village and not within one hundred (100) feet of any public highways]

Section 621 Joint Contagious Disease Hospitals Whenever the county commissioners of two or more counties decide that a hospital for the care of contagiuos diseases is necessary they may join in establishing such hospital either on the grounds of the county poor-farm of either county or on such other suitable location agreed on as may be purchased for the purpose subject however in all other respects to the conditions and limitations prescribed in this act The county commissioners may in like manner join in establishing a contagious disease hospital with any municipality within the county or with any established general hospital in the county or with the municapality and hospital

[Such joint hospitals shall be conducted and maintained under the joint authority of the directors of the poor of the counties joining in the establishment thereof]

All expenses incident to the construction operation and maintenance of [such contagious disease hospitals] any joint hospital for contagious diseases shall be borne jointly [by the counties establishing the same in such proportions as may be agreed on by the county commissioners] by the parties in such proportions as may be agreed upon

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200.

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 26, entitled:

An Act authorizing all counties cities boroughs incorporated towns townships and institution districts to place their respective officers and employes in the State Employes' Retirement Association prescribing the procedure to be followed and authorizing a special tax to pay the expenses incident thereto placing certain duties upon the State Treasurer and the fiscal officers of the said municipal units prohibiting the future establishment of local pension or retirement systems and providing in certain cases for the discontinuance of existing ones

On the question,

Will the House agree to the bill on third reading?

Mr. PETTIT. Mr. Speaker, the sponsor of this bill has very courteously and obligingly passed it over from last night until today so that amendments may be drawn, and I understand, Mr. Speaker, that he has no objection to the amendments that I am about to submit.

Messrs. PETTIT and PETROSKY asked unanimous consent to offer amendments at this time.

The SPEAKER Pro Tempore. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Title, page 1, line 1 of title, by striking out the word "cities"

Amend Sec. 1, page 1, line 2, by striking out the word "city"

Amend Sec. 2, page 2, line 2, by striking out the word "city"

Amend Sec. 3, page 2, line 23, by striking out the word "city"

Amend Sec. 4, page 3, line 24, by striking out the word "or" and inserting in lieu thereof: "as".

Amend Sec. 13, page 6, line 22, by striking out the word "city"

Amend Sec. 14, page 6, line 26, by striking out the word "city".

The SPEAKER Pro Tempore. Will the House give unanimouns consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 150, as follows:

An Act to further amend clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" excluding services of real estate salesmen real estate brokers and unsalaried newspaper correspondents from the definition of "employment"

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December one thousand nine hundred thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Sederal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" as last amended by section one of the act approved the twenty-third day of April one thousand nine hundred forty-two (P. L. 60) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

* * * *

(j) * * * *

(4) The word "employment" shall not include

* * * *

(17) Service performed by an individual for an employer as an insurance agent or real estate salesman or as an insurance solicitor or as a real estate broker if all such service performed by such individual for such employer is performed for remuneration solely by way of commission or services performed by an individual as an unsalaried correspondent for a newspaper who receives no compensation or compensation only for copy accepted for publication

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson.
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Consitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 156, as follows:

An Act to amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" exempting for the duration of the present war any persons in the armed forces from the payment of a fee to the Commonwealth for resident hunting licenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 302 Resident License Fee Each such resident as provided in the preceding section upon application made in writing to any agent authorized to issue such licenses within the Commonwealth the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirements of this article and the establishment of his identity to the satisfaction of the authority issuing the license or to the satisfaction of the justice of the peace magistrate or notary public or any agent designated to receive applications for licenses when taking such applications as hereinafter authorized by producing a bank book letters lodge cards police cards a motor vehicle driver's license or some other positive means of identification and in the case of naturalized foreign-born applicants the production of such applicant's naturalization papers unless any such person has been disqualified for a license in the manner hereinafter specified and the payment to said agent or the Department of Revenue of two dollars ($2.00) shall be entitled to a resident hunter's license and a tag with the number of the license thereon which shall entitle the holder to hunt or trap for all wild birds and wild animals which may legally be hunted or trapped in this Commonwealth except as otherwise provided

For the duration of the present war any person with the qualifications prescribed by this act who is in service with the armed forces of the United States shall be issued such license without the payment of the above license fee provided for the use of the Commonwealth The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been real at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook.
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 364, as follows:

An Act to amend the title and to further amend sections one two and three of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" giving each political subdivision having tax or municipal claims against any such real property the right to petition court for a compromise agreement or sale authorized by the act and extending the time for the holding of a hearing thereon

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" is hereby amended to read as follows

An Act authorizing subject to approval of the court of common pleas the compromise or reduction of tax and municipal claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes or municipal claims and the reconveyance or private sale of such property

Section 2 Sections one two and three of said act as amended by the act approved the twenty-ninth day of July one thousand nine hundred forty-one (P. L. 600) are hereby further amended to read as follows

Section 1 Be it enacted &c That whenever any real property has been heretofore or shall be hereafter purchased by any county city borough incorporated town school district or poor district to be called herein municipality for nonpayment of taxes or municipal claims under any act of Assembly authorizing such sale the municipality purchasing said property or any taxing authority having an interest therein may subject to the approval of the court of common pleas upon petition agree with the former owner of such property or his heirs devisees or any one or more of them or with anyone entitled to redeem such property to accept in compromise or reduction of the amount of the taxes and municipal claims penalties interest and casts due any sum less than the whole of such amount so due whereupon either the said municipality or the taxing authority having an interest therein or the person with whom such agreement is made may petition the common pleas court for confirmation of said agreement

Section 2 After the period for redemption has passed such municipality may sell at private sale any real property purchased at tax sale or sale for municipal claim and may in effecting such sale accept any sum less than the amount of all the taxes municipal claims penalties and interest due subject to the approval upon petition of the court of common pleas as hereinafter provided

Section 3 Upon presentation of any such petition by any taxing authority having an interest therein or by the other party concerned the court shall fix a day not more than thirty days thereafter for a hearing thereon At least five days' notice of such hearing shall be given to all the taxing authorities having tax or municipal claims against such real estate and notice shall also be given by publication in at least one newspaper of general circulation published in the county setting forth a description of the property the total amount of taxes municipal claims penalties and interest due and costs and the amount which it is proposed to accept in compromise or redemption or for the sale of said property

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hewitt,
Hersch,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Mahany,
Madigan,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 501, as follows:

An Act regulating the lien of judgments prescribing the procedure for the revival of judgments and for the continuance of the lien thereof and repealing certain acts and parts of acts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Any judgment now or hereafter entered of record in any court of record in this Commonwealth or revived in manner prescribed by this act shall continue a lien on the real estate of the defendant or defendants as to purchasers mortgagees and other lien creditors for the term of five years from the day of entry or revival thereof No judgment shall continue a lien on such real estate of the defendant or defendants as to purchasers mortgagees and other lien creditors for a longer period than five years from the day on which such judgment may be entered or revived unless revived within that period by agreement of the plaintiff and defendant and terre tenants in writing filed and entered on the proper docket or by a writ of scire facias to revive the same sued out within said period according to the provisions of this act notwithstanding an execution may be issued within a year and a day from the rendering of such judgment or a stay of execution may be entered on such judgment or a time subsequent to the rendering of such may be appointed by agreement of the plaintiff and defendant and the terre tenants for the payment of the money for which such judgment may be rendered or any part thereof or notwithstanding any other condition or contingency may be attached to such judgment Nor shall the revival of such judgment by agreement as aforesaid or the issuing of a scire facias either with or without entry of judgment thereon have the effect of continuing such lien for a longer period than five years from the day on which it may be entered or revived or such scire facias may have issued and no proceeding shall be available to continue the lien of such judgment against a terre tenant or terre tenants whose deeds for the land bound by said judgment has been recorded for a longer period than five years from the entry of the said judgment or revival thereof against the original defendant except by agreement between the plaintiff and the terre tenants in writing signed by said terre tenant or terre tenants and filed and entered within said period of five years in the proper lien docket or the terre tenant or terre tenants be named as such in the scire facias to revive sued out within said period of five years Provided that any judgment which is now a lien on the real estate of a terre tenant or terre tenants only by virtue of the provisions of section eight of the act approved the sixteenth day of April one thousand eight hundred forty-nine (P. L. 663) entitled "A supplement to the act relating to lunatics and habitual drunkards to punish aldermen and justices of the peace for misdemeanors relating to arbitrations in the district court in the city and county of Philadelphia relative to deeds of assignment relative to judgment liens relating to limitation of actions and relating to liens and terre tenants and for the more effectual punishment of the crime of arson" shall continue to be a lien on said real estate for a period of six months after the passage of this act or for a period of five years from the time of recording of the deed to said terre tenant or terre tenants whichever period is the shorter and no longer unless within said period said judgment be revived according to the terms of this act

Nothing contained in this act shall be construed to affect or limit those provisions of section fifteen (g) of the "Fiduciaries Act of 1917" approved the seventh day of June (P. L. 447) which provide for the revival of certain judgments by death

Section 2 All such writs of scire facias shall be served on the terre tenant or terre tenants or persons occupying the real estate bound by the judgment and also where he or they can be found on the defendant or defendants his or their feoffee or feoffees or on the heirs executors or administrators of such defendant or defendants his or their feoffee or feoffees in the manner provided by law for the service of a summons If the sheriff cannot find within his bailiwick the persons named in the writ or any of them he shall make a return of nihil habet as to all those not found in his bailiwick and on a return being made showing due service on all those named in the writ found in his bailiwick and all persons occupying the real estate bound by the judgment and a return of nihil habet as to all those not so found the court from which the said writ may have issued or its prothonotary shall at or before the term subsequent to the issuing of such writ or at any subsequent term direct or order the revival of any such judgment during another period of five years against the real estate bound by the judgment unless sufficient cause is shown to prevent the same Proceedings may in like manner be had to revive any such judgment at the end of said period of five years and so from period to period as often as the same may be found necessary

Section 3 The following acts and parts of acts are hereby repealed

The act approved the fourth day of April one thousand seven hundred ninety-eight (3 Smith Laws 331) entitled "An act limiting the time during which judgment shall be a lien on real estate and suits may be brought against the sureties of public officers"

The act approved the twenty-sixth day of March one thousand eight hundred twenty-seven (P. L. 129) entitled "A supplement to the act entitled 'An act limiting the time during which judgments shall be a lien on real estate and suits may be brought against the sureties of public officers' "

Section eight of the act approved the sixteenth day of April one thousand eight hundred forty-nine (P. L. 663) entitled "A supplement to the act relating to lunatics and habitual drunkards to punish aldermen and justices of the peace for misdemeanors relating to arbitrations in the district court in the city and county of Philadelphia relative to deeds of assignment relative to judgment liens relating to limitation of actions and relating to liens and terre tenants and for the more effectual punishment of the crime of arson"

The act approved the first day of June one thousand eight hundred eighty-seven (P. L. 289) entitled "An act to amend a supplement to an act entitled 'An act limiting the time during which judgments shall be a lien on real estate and suits may be brought against sureties of public officers' approved the twenty-sixth day of of March Anno Domini one thousand eight hundred and twenty-seven"

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barton,
Barrett,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell.
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox.
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris.
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes.
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leonard,
Leisey,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien.
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Wright,
Worley,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 518, as follows:

An Act to amend section one thousand seven hundred twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" prescribing the course in the history of the United States to be taught in high schools

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand seven hundred twelve of the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 1712 It shall be the duty of the superintendent having supervision over any high school to prepare and recommend to the board of school directors maintaining the same suitable courses of study which shall be adopted by said board of school directors with such changes as they may deem wise subject to the provisions of this act Provided That the course of study in the history of the United States including the study of the Constitution of the United States and the Constitution of this Commonwealth shall be at least a one semester course in each year of the high school curriculum and of such nature kind or quality as to have for its purpose the developing teaching and presentation of the principles and ideals of the American Republican Representative form of government as portrayed and experienced by the acts and policies of the framers of the Declaration of Independence and framers of the Constitution of the United States and the Bill of Rights The courses of study in the history of the United States including the study of the Constitution of the United States and the Constitution of this Commonwealth shall also be such as will emphasize the good worthwhile and best features and points of the social economic and cultural development the growth of the American family life high standard of living of the United States citizen the privileges enjoyed by such citizens their heritage and its derivations of and in our principles of government and having for its purpose also the instilling into every boy and girl coming out of our public school their solemn duty and obligation to exercise their voting privilege

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, just a few brief remarks The minority is supporting this bill, but I should like to point out to the Members of the House that I think we ought to give it serious consideration, because the effect of this bill could possibly be if teachers are to be devoted to the teaching of American history at least one semester in each school year, probably not having enough history teachers, we ought to worry about getting more history teachers, in which case we should concern ourselves with which subject we may have to curtail if the war continues for a long period of time.

I merely point that out as a matter of record, that we should take this back to our home districts and arrive at some sort of a solution to this problem.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel.
Yester.
F[illegible]
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 578, entitled:

An Act relating to chattel mortgages on livestock poultry farm machinery farm equipment and crops grown growing or to be grown designating the operation and effect of the lien of such mortgages providing for the filing indexing and docketing of such mortgages and related instruments in prothonotaries' offices and prescribing prothonotaries' fees providing for the filing in Pennsylvania of similar lien instruments originally filed or recorded in other states regulating the assignment release satisfaction and extension of the lien of such mortgages prescribing methods of foreclosure defining defaults and violations and fixing penalties

On the question,

Will the House agree to the bill on third reading?

Mr. ALSPACH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER Pro Tempore. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend Sec. 6, page 6, line 10, by inserting after the word "livestock" the following: "or poultry."

Amend Sec. 6, page 6, line 15, by inserting after the word "livestock' the following: "or poultry."

Amend Sec. 9, page 9, line 11, by inserting before the word "For" the following: "(6)."

Amend Sec. 9, page 9, line 13, by striking out "(25) cents" and inserting in lieu thereof: "cents (25c)."

The SPEAKER Pro Tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 607, as follows:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended by the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 520) are hereby further amended to read as follows

Section 426 The board upon petition of any party and upon cause shown at any time before the court of common pleas of any county of this Commonwealth other than Allegheny County and in Allegheny County before the county court of Allegheny County to which an appeal has been taken under the provisions of section four hundred and twenty-seven of this article shall have taken final action thereon may grant a rehearing of any petition upon which the board has made an award or disallowance of compensation or other order or ruling or upon which the board has sustained or reversed any action of a referee but such rehearing shall not be granted more than one year after the board has made such award disallowance or other order or ruling or has sustained or reversed any action of the referee If the board shall grant a rehearing of any petition from the board's action on which an appeal has been taken to and is pending in the court of common pleas [of any county of this Commonwealth] or in the county court of Allegheny County as the case may be under the provisions of section four hundred and twenty-seven of this article the board shall file in such court a certified copy of its order granting such rehearing and it shall thereupon be the duty of such court to cause the record of the case to be remitted to the board Provided however That nothing contained in this section shall limit or restrict the right of the board or a referee designated by the board to review modify set aside reinstate suspend or terminate an original or supplemental agreement or an award in accordance with the provisions of section four hundred thirteen of this article

Section 427 Any party may appeal from any action of the board on matters of the law to the court of common pleas of the county in which the accident occurred or of the county in which the adverse party resides or has a permanent place of business or by agreement of the parties to the court of common pleas of any other county of this Commonwealth Provided That no such appeal shall be taken to the court of common pleas of Allegheny County but in Allegheny County all such appeals shall be taken to the county court of Allegheny County which shall have exclusive jurisdiction of such appeals Such appeal must in all cases be brought within twenty days after notice of the action of the board has been served upon such party unless any court of common pleas or the county court of Allegheny County as the case may be to which an appeal lies shall upon cause shown extend the time herein provided for taking the appeal The party taking the appeal shall at the time of taking the appeal serve upon the adverse party a written notice thereof setting forth the date of the appeal and the court in which the same is filed and shall file either with his notice of appeal or within thirty days thereafter such exceptions to the action of the board as he may desire to take and shall specify the findings of fact if any of the board or of the referee sustained by the board which he alleges to be unsupported by competent evidence

Upon filing of the notice of an appeal the prothonotary of the court of common pleas or the clerk of the county court of Allegheny County as the case may be to which the appeal has been taken shall issue a writ of certiorari directed to the board commanding it within ten days after service thereof to certify to such court its entire record in the matter in which the appeal has been taken The writ so issued shall be mailed by the prothonotary or the clerk of the county court of Allegheny County as the case may be to the department at Harrisburg together with a copy of the exceptions The board shall within ten days after such service certify to such court its entire record in the matter in which the appeal has been taken including the notes of testimony

Any court before whom an appeal is pending from any action of the board may remit the record to the board for more specific findings of fact if the findings of the board or referee are not in its opinion sufficient to enable it to decide the question of law raised by the appeal

If the court of common pleas of any county [of this Commonwealth] or the county court of Allegheny County as the case may be shall affirm an award or order of the board or of a referee sustained by the board fixing the compensation payable under this act the court shall enter judgment for the total amount stated by the award or order to be payable whether then due and accrued or payable in future instalments If such court shall sustain the appellant's exceptions to a finding or findings of fact and reverse the action of the board founded thereon the court shall remit the record to the board for further hearing and determination in which the procedure shall be the same as that hereinbefore provided in this article in the case of a petition presented to the board except that the testimony taken in the original proceedings shall be considered as though taken in such further hearing

The prothonotary of any court of common pleas or the clerk of the county court of Allegheny County as the case may be to which an appeal has been taken from the board shall send to the board a certificate of the judgment of the court as soon as rendered with a copy of any opinion which may be filed in the case and within five days shall give notice of such judgment and the date thereof by registered mail to each attorney-at-law appearing in the case at the address given by the attorney in the pleadings and if no attorney-at-law has appeared by registered mail to the party or parties not represented by counsel At the end of the period hereinafter allowed for an appeal from the judgment of the court the record of the board shall be remitted to it by the prothonotary or the clerk of the county court of Allegheny County as the case may be unless an appeal shall have been taken to the Superior Court as hereinafter provided If such appeal shall be taken the record shall be remitted to the board by the prothonotary or the clerk of the county court of Allegheny County as the case may be on its return from the appellate court

Any party may appeal to the Superior Court from the judgment of the court of common pleas or the county court of Allegheny County within thirty days after entry of said judgment irrespective of the amount involved Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Superior Court and the record so certified shall contain all that was before the court of common pleas or the county court of Allegheny County as the case may be Any appeal from the action of the board to a court of common pleas or the county court of Allegheny County as the case may be and from it to the Superior Court shall take precedence over all other civil actions The judgment of the Superior Court shall be final unless an appeal therefrom is allowed as in the case of other judgments of that tribunal

Upon the rendition of any judgment in the county court of Allegheny County hereunder the party to whom such judgment is awarded shall be entitled to file in the office of the prothonotary of Allegheny County a transcript from the docket of the county court showing the judgment so rendered which judgment shall be entered upon the judgment index of said county in the same manner and with the like effect as in the case of other judgments rendered by the county court of Allegheny County

It is the intention of this act that all appeals from the Workmen's Compensation Board heretofore triable in the court of common pleas of Allegheny County shall henceforth be exclusively triable in the county court of Allegheny County regardless of the amount of money involved in the appeal

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brigerman,
Brice,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Sarraf,
Salus,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 665, Printer's No. 420, was passed over at the request of The SPEAKER Pro Tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1092, as follows:

An Act to amend section twelve of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" changing the minimum age for participants in amateur boxing sparring and wrestling matches and exhibitions and providing a penalty

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section twelve of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and apropriating moneys received for monument and memorial purposes and prescribing penalties" is hereby amended to read as follows

Section 12 Age of Participant and Spectators No person under the age of eighteen years shall participate in any boxing sparring or wrestling match or exhibition and no children under sixteen years of age shall be permitted to attend as spectators Provided That persons sixteen and seventeen years of age may participate in amateur boxing sparring and wrestling matches or exhibitions with other persons not over seventeen years of age under such regulations as the State Athletic Commission shall prescribe

Whoever violates any of the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay the cost of prosecution and a fine not exceeding one hundred dollars ($100) for each such offense and in default of the payment thereof shall be imprisoned for a period not exceeding sixty (60) days

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—190

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Reilly,
Reynolds,
Riley,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—10

Chervenak,
Cordier,
Foor,
McClester,
Munley,
O'Neill,
Regan,
Robertson,
Stonier,
Wagner, P. L.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 377, as follows:

An Act to further amend section eight hundred and twenty-three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an apropriation and providing for refunds" changing the penalty for violation of provisions relating to official inspections

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section eight hundred and twenty-three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 823 Official Inspections

(a) On and after the first day of every May and until and including the thirty-first (31) day of July and on and after the first day of every November and until and including the thirty-first (31) day of January every owner of a motor vehicle trailer or semi-trailer being operated in this Commonwealth except trailers or semi-trailers having a chassis and body weight of less than one thousand (1000) pounds motorcycles and bicycles with motor attached shall submit such motor vehicle trailer or semi-trailer to such inspection of its mechanism and equipment as may be designated by the secretary Provided however That motor vehicles trailers and semi-trailers determined by the department to be exempt from registration under the provisions of section four hundred one subsection (d) of this act if operated on the public highways of this Commonwealth only during the period between sunrise and sunset shall be exempt from the lighting equipment provisions of this act

(b) If such inspections disclose the necessity for adjustments corrections or repairs in order to bring the motor vehicle trailer or semi-trailer in conformance with the provisions of this act it shall be compulsory upon the owners to have such adjustments corrections or repairs made within the periods required in this act

(c) The secretary is hereby authorized to designate furnish instructions to supervise and issue inspection certificates to and collect the fees therefor from the official inspection stations as provided in this act for the purpose of such inspections

(d) Such official inspection stations when duly authorized shall issue official certificates of inspection for every motor vehicle trailer or semi-trailer so inspected on a form furnished by the department but no such certificates of inspection shall be issued or displayed on any motor vehicle trailer or semi-trailer or by the owner or operator of any motor vehicle trailer or semi-trailer until and unless the motor vehicle trailer or semi-trailer for which it is issued has been brought into conformance with the requirements of this act

(e) It shall be the duty of such designated official inspection stations to report all such inspections to the secretary on forms furnished by the department and in the event of refusal on the part of any owner or operator to have the necessary adjustments corrections and repairs made the secretary after investigation may invoke the provisions of this act relative to vehicles unsafe or unfit for operation

(f) If the secretary finds that the provisions of this act or the directions of the secretary are not being complied with or that the business of such stations in connection with such inspections is being improperly conducted he may suspend the designation of any such stations

(g) Any peace officer who shall be in uniform and shall exhibit his badge or other sign of authority may stop any motor vehicle trailer or semi-trailer and require the owner or operator to display an official certificate or other satisfactory proof of inspection for the motor vehicle trailer or semi-trailer being operated It shall be unlawful for any such certificate to be displayed on a motor vehicle trailer or semi-trailer or by the owner or operator unless an official inspection of its mechanism or equipment shall have been made and the motor vehicle trailer or semi-trailer conforms to the provisions of this act

(h) It shall be unlawful to operate any motor vehicle trailer or semi-trailer on a highway (1) during an inspection period unless the motor vehicle trailer or semi-trailer has been inspected during the present or last preceding inspection period and (2) after the close of any inspection period unless it has been inspected during the last preceding inspection period and (3) a certificate for the proper period furnished and displayed

(i) The secretary is hereby authorized and required to issue a certificate of school bus inspection for every vehicle owned by or used under contract with any school or school district which conforms with the provisions of this act and with the requlations of the State Council of Education of Pennsylvania Such certificate shall bear the approval of and be counter-signed by the Commissioner of the Pennsylvania Motor Police This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission

(j) The owner of every vehicle which is to be used for the transportation of school children shall in addition to any other inspection required by this act submit such vehicle to the Pennsylvania Motor Police sometime during every August or prior to operating such vehicle for the transportation of school children during the school year to determine whether such vehicle conforms with the provisions of this act and the regulations of the State Council of Education of Pennsylvania This provision shall not apply to buses operated over regular routes in scheduled service under the authority of the Public Utility Commission

(k) No vehicle required to obtain a certificate of inspection under the provisions of subsection (j) of this section shall be operated without prominently displaying such certificate as may be directed by the secretary in addition to any other certificate now or hereafter required by law on any of the highways of this Commonwealth

Penalty Any person violating any of the provisions of subsections (d) (e) (g) (h) (j) or (k) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not more than ten ($10 dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elliott,
Elder,
Ely,
Erb,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox.
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Veron,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,

Ewing, Kowalski, Regan, Yester,
Figlock, Krepps, Reilly, Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 668, as follows:

An Act to further amend the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four and two hundred and nineteen of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as last amended by the act approved the thirty-first day of July one thousand nine hundred and forty-one (P. L. 631) is hereby further amended to read as follows

Section 4 Scope of Act This act does not relate to does not affect and does not apply to

(1) Cooperative associations whether for profit or not for profit

(2) Beneficial benevolent fraternal or fraternal benefit societies having a lodge system and a representative form of government or transacting any type of insurance whatsoever

(3) Any corporation whatsoever organized for any purpose or purposes involving pecuniary profit to its members or shareholders

(4) Any corporation which by the laws of this Commonwealth is subject to the supervision of the Department of Banking the Insurance Department the Pennsylvania Public Utility Commission or the Water and Power Resources Board Provided however That corporations subject by law to the limited supervision of the Insurance Department may be incorporated under and in accordance with the provisions of this act for the purpose of establishing maintaining and operating a nonprofit hospital plan whereby hospitalization may be provided to subscribers of such plan by any hospital with which such corporations have a contract for such hospitalization or for the purpose of establishing maintaining and operating a nonprofit medical service plan whereby medical services may be provided through any doctor of medicine to subscribers of low income and over-income and their dependents

Section 219 Special Procedure for Incorporation of Nonprofit Medical Service Corporations

(a) Nine or more natural persons of full age and of either sex married or single all of whom are residents of the Commonwealth and citizens of the United States Provided however That a majority of said persons are doctors of medicine may form a nonprofit corporation under the provisions of this act having for its purpose the establishing maintaining and operating of a nonprofit medical service plan whereby medical services may be provided to persons of low income and persons of over-income and their dependents who shall be determined as follows

Persons of low income shall be

1 In the case of persons without dependents

Any person in receipt of an income for the preceding twenty-five weeks averaging not more than thirty dollars weekly

2 In the case of persons with one dependent

Any person in receipt of an income that together with the income of the dependent averaged during the preceding twenty-five weeks not more than forty-five dollars weekly

3 In the case of persons with more than one dependent

Any person in receipt of an income that together with the incomes of all his income earning dependents averaged during the preceding twenty-five weeks not more than sixty dollars weekly

Persons of over-income shall be

1 All persons not persons of low income shall be persons of over-income

(b) For the purposes of this act the terms stated below have the meanings assigned to them respectively unless the context otherwise requires

"Medical services" means the general and usual services rendered and care administered by doctors of medicine

"Persons with dependents" means any person who furnishes other persons with their chief support whether or not such dependent person is related to or living with him

"Subscriber of low income" means persons of low income who subscribe to a nonprofit medical service corporation plan

"Subscribers of over-income" means persons of over-income who subscribe to a nonprofit medical service corporation plan

"Department of Health" means the Department of Health of the Commonwealth

(c) Whenever the articles of incorporation of any such corporation are filed with the prothonotary he shall forthwith transmit the articles to the Department of Health Thereupon the department shall make a thorough investigation of the proposed corporation the area in and the plan under which it proposes to operate and within thirty days shall certify upon the articles whether or not the proposed corporation meets with the approval of the department If the same shall be approved by the Department of Health the prothonotary shall forthwith transmit the articles to the Insurance Department Thereupon the Insurance Department shall make a thorough investigation of the proposed corporation the area in and the plan under which it proposes to operate and within thirty days shall certify upon the articles whether or not the proposed corporation meets with the approval of the department The court shall not approve such application unless and until the articles are returned by the Insurance Department and unless both the Department of Health and the Insurance Department shall have endorsed its approval thereon

(d) The court shall be guided solely by public necessity and public interest and welfare in approving or disapproving the articles of incorporation

Section 2 the provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tate,
Tahl,
Taylor,
Thrasher,
Thompson,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 669, as follows:

An Act to amend sections three four nine and nineteen of the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1125) entitled :"An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commissioner each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections three four nine and nineteen of the act approved the twenty-seventh day of June one thousand nine hundred and thirty-nine (P. L. 1125) entitled "An act providing for the regulation and supervision of nonprofit medical service corporations organized to provide medical services to subscribers of low income by the Department of Health and the Insurance Department and defining the functions of such departments with respect thereto authorizing certain departments commissions officers and other agencies of the State and its political subdivisions to subscribe under certain circumstances to the medical service plan of such corporations on behalf of persons of low income prescribing legal investments for the funds of such corporations and the rights of doctors of medicine to register with such corporations conferring authority on the Department of Health and on the Insurance Commission each within its own sphere of lawful activity to regulate and supervise such corporations conferring certain rights powers duties and immunities upon such corporations and their officers and members prescribing the conditions on which such corporations may exercise their powers exempting such corporations from taxation prohibiting any person copartnership association common law trust or corporation except a nonprofit medical service corporation from providing medical services on a nonprofit plan in return for prepayment periodical or lump sum payments providing penalties for the violation of and mandatory and injunctive relief for the enforcement of the provisions of this act" are hereby amended to read as follows

Section 3 Definitions For the purpose of this act the terms stated below have the meanings assigned to them respectively unless the context otherwise requires

"Nonprofit medical service corporation" means a corporation organized and operated under the provisions of the "Nonprofit Corporation Law" approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) and its amendments

"Income" means net income from gains profits and net income derived from professions vocations trades businesses commerce or sales or dealings in property whether real or personal growing out of the ownership or use of or interest in such property also from interest rent dividends securities or the transaction of any business carried on for gain or profit or gains or profits and income derived from any source whatever and income derived from salaries wages or compensation for personal service of whatever kind and in whatever form paid

"Low income" means income as set forth in section nine hereof

"Over-income" means income as set forth in section nine hereof

"Subscribers of low income" means persons of low income who subscribe to a nonprofit medical service corporation plan

"Subscribers of over-income" means persons of overincome who subscribe to a nonprofit medical service corporation plan

"Medical services" means the general and usual services rendered and care administered by doctors of medicine

"Department of Health" means Department of Health of the Commonwealth

"Court" means the court of common pleas of the county where the principal office of the nonprofit medical corporation is or is to be located

"Person with dependents" means any person who furnishes other persons with their chief support whether or not such dependent person is related to or living with him

Section 4 Unauthorized Nonprofit Medical Service for Prepayment Periodical or Lump Sum Payments Forbidden It shall be unlawful for any person copartnership association common law trust or corporation except when especially organized under the provisions of the Nonprofit Corporation Law and its amendments for the purpose to establish maintain or operate a nonprofit medical service plan whereby medical services may be provided to persons of low income and over-income as herein defined for prepayment periodical or lump sum payments but this shall not be construed as preventing a person copartnership association common law trust or corporation from furnishing medical services for the prevention of disease among its or his employes or from furnishing such medical services as is required under the Workmen's Compensation Act and related legislation when the employe is not charged for such service nor shall any provision in this act be construed to apply to beneficial benevolent fraternal and fraternal benefit societies having a lodge system and a representative form of government Nor shall this act limit or repeal any provision of the Nonprofit Hospital Acts of one thousand nine hundred thirty-seven (P. L. 1948) and one thousand nine hundred thirty-seven (P. L. 1980)

Section 9 Determination of Income Status Rights of Persons of Low Income (a) The following shall be a person or persons of low income and a person or persons of over-income eligible for the benefits of and under this act

Persons of low income

(1) In the case of persons without dependents

Any person in receipt of an income for the preceding twenty-five weeks averaging not more than thirty dollars weekly

(2) In the case of persons with one dependent

Any person in receipt of an income that together with the income of the dependent averaged during the preceding twenty-five weeks not more than forty-five dollars weekly

(3) In the case of persons with more than one dependent

Any person in receipt of an income that together with the incomes of all his income earning dependents averaged during the preceding twenty-five weeks not more than sixty dollars weekly

Persons of over-income

(1) All persons not persons of low income shall be persons of over-income

(b) The nonprofit medical service corporation shall determine whether an applicant for subscription is in receipt of a low income or over-income within the meaning of this act and after the application has been approved the subscriber shall be deemed to be of low income or over-income until it has been redetermined by the corporation which redetermination may be made at any time

(c) The nonprofit medical service corporation in determining the income status of any person may through its officers and agents examine under oath any applicant claiming a low income status and any other person consenting thereto who is believed to have material knowledge concerning the status of the applicant Its determination shall be final

(d) Every person of low income and every person of over-income residing in the area served by a nonprofit medical service corporation shall be entitled upon complying with regulations adopted by that corporation and the payment of such initiation and other fees as authorized by the Insurance Department to the services of any doctor of medicine registered with the corporation under such terms and conditions as are customary in medical services in the community but only within the limits of services for which such doctors of medicine are registered Provided however That a nonprofit medical service corporation may for cause refuse to enter into contractual relations with an applicant and may for cause after due notice and hearing rescind any contract that it has entered into with any subscriber and refund any unearned portion of any fees paid and may on default in payment of the agreed dues fees payments or any charges by subscriber or someone on his behalf discontinue service without notice and hearing after having notified a subscriber of his default and having allowed him two days to procure such services Provided further however that persons of over-income shall be liable to doctors of medicine registered with the corporation rendering services to such persons of over-income for the full amount of the usual fees and charges for such services made by such doctors of medicine and any payment made by the corporation to doctors of medicine for services rendered to subscribers of over-income shall be a payment to the extent agreed upon between the corporation and the doctors of medicine on account of the full sum due the doctors of medicine for rendering such services

(e) No contract by or on behalf of any nonprofit medical service corporation shall provide for the payment of any cash or other material benefit by that corporation to a subscriber on account of illness or injury nor be in any way related to the payment of any such benefit by any other agency

Section 19 Constitutional Construction and Severability It is hereby declared to be the purpose and intent of this act and the policy of the Legislature to authorize qualified persons to provide adequate medical services for residents of this State who are unable to provide such services for themselves or their dependents at their own cost without depriving themselves or their dependents of such necessaries of life as food clothing and shelter [.] and provide persons of over-income with the limited medical service benefits hereinbefore set forth At the same time it is the purpose and intent of this act and the policy of the Legislature to maintain the standing and promote the progress of the science and art of medicine in this State The courts of this State are hereby directed to construe this act liberally in order to accomplish those ends

The provisions of this act shall be severable and if any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid the constitutionality of the remainder of the act and the applicability thereof to other persons and circumstances shall not be affected thereby It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
Maxwell,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thrasher,
Thompson,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL PASSED OVER

There being no objection House Bill No. 717, Printer's No. 433, was passed over at the request of the SPEAKER Pro Tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 725, as follows:

An Act to amend paragraph seven A of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by regulating salaries of continuation teachers in first class districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Paragraph seven A of section one thousand two hundred ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by section twenty-seven of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 243) is hereby amended to read as follows

Section 1210 * * * * *

Seven A Continuation school teachers in the first second third and fourth class districts who are required to have qualifications equivalent to high school teachers shall be entitled to the salary and increments prescribed in the schedule for high school teachers or if qualifications are equivalent to elementary school teachers they shall be entitled to the salary and increments prescribed in the schedule for elementary school teachers All approved vocational agricultural vocational home economics or vocational industrial schools when organized as separate schools or departments in the first second third and fourth class districts shall be classified as secondary schools and the teachers of these schools are to be entitled to the salaries and increments prescribed in the schedule for high school teachers

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barton,
Barrett,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Costa,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,

Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Wachhaus
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 799, as follows:

An Act to further amend subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by further regulating the suspension of operating privileges by the secretary

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsection (a) of section six hundred fourteen of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justics of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as last amended by the act approved the twenty-ninth day of June one thousand nine hundred and thirty-seven (P. L. 2329) is hereby further amended to read as follows

Section 614 Revocation of Operating Privilege (a) Upon receiving a certified record from the clerk of the court of proceedings in which a person pleaded guilty entered a plea of non vult nolo contendere or was found guilty by a judge or jury of any of the crimes enumerated in this section the secretary shall [forthwith] revoke for a period of one (1) year [from the date of revocation] the operating privilege of any such person and where such person was convicted or entered a plea of guilty non vult or nolo contendere of any one of the crimes enumerated in clauses (1) (2) (3) and (4) of this section such operating privilege shall not be restored unless and until the fine and costs imposed in such cases have been fully paid The clerk of the courts shall when such fine and costs have been so paid in any such case certify such fact to the Department of Revenue

1 Operating a motor vehicle while under the influence of intoxicating liquor or any narcotic or habit producing drug or permitting any person who may be under the influence of intoxicating liquor or narcotic or habit producing drug to operate any motor vehicle owned by him or in his custody or control

2 Using a false or fictitious name or giving a false or fictitious address in any application or form required under the provisions of this act or knowingly making a false statement or knowingly concealing a material fact or otherwise committing a fraud in any application

3 Any crime punishable as a felony under the motor vehicle laws of this Commonwealth or any other felony in the commission of which a motor vehicle is used

4 Conviction of an operator of a motor vehicle involved in an accident resulting in injury or death to any person or damage to property upon the charge of failing to stop and render assistance or disclose his identity at the scene of the accident

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Finnerty,
Flack.
Fleming,
Flynn,
Foor,
Fox
Freed.
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
Maxwell,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill.
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,

Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 875, entitled:

An Act to further amend section six hundred fourteen of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" further regulating the revocation of operating privileges by the Secretary of Revenue

On the question,

Will the House agree to the bill on third reading?

Mr. MUIR. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER Pro Tempore. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend Sec. 1 (Sec. 614), page 3, line 19, by inserting after the figure "(1)" the word "year".

The SPEAKER Pro Tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL PASSED OVER

There being no objection House Bill No. 740, Printer's No. 464, was passed over at the request of the SPEAKER Pro Tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 481, as follows:

An Act to further amend sections three hundred twenty and three hundred twenty-three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth six seventh and eighth classes and revising amending and consolidating the laws relating thereto" by providing for retirement allowances to all county employes who are dismissed after having not less than twenty years service

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred twenty of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278 entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the fifteenth day of June one thousand nine hundred thirty-nine (P. L. 365) is hereby further amended to read as follows

Section 320 Persons Entitled to Retirement Allowances Every county employe who has reached the age of sixty years or upwards and who shall have been a county employe during a period of not less than twenty years shall upon application to the board be retired from service and shall thereafter receive during life a retirement allowance as herein provided for The time spent in the employ as a county employe need not necessarily have been continuous Provided That when any employe has had twenty or more years of service not necessarily continuous [and has reached the age of fifty years] and shall be or shall have been separated from the service by reason of no cause or act of his own upon application to the board shall thereafter receive during life a retirement allowance as herein provided for

Section 2 Section three hundred twenty-three of said act as last amended by the act approved the thirty-first day of March one thousand nine hundred thirty-seven (P. L. 191) is hereby further amended to read as follows

Section 323 Retirement Allowance After Leaving Service If any county employe after twenty years [is dismissed or] retires voluntarily [or is in any other manner deprived of his or her employment] before attaining the age of [fifty or] sixty years [as the case may be] such employe if he continues to contribute to the retirement fund monthly a sum equal to the last monthly contribution paid while in employ shall when he or she reaches the age of [fifty or] sixty years [as the case may be] be entitled to a retirement allowance

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Skale,
Simons,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thrasher,
Thompson,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 710, as follows:

An Act providing for the equalization of salaries for tipstaves in the courts of common pleas oyer and terminer and general jail delivery quarter sessions of the peace county court of Allegheny County and orphans' courts in counties of the second class

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Salaries or tipstaves in the courts of common pleas oyer and terminer and general jail delivery quarter sessions of the peace county court of Allegheny County and orphans' courts in counties of the second class shall be uniform and of equal amounts

Section 2 All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Barton,
Baker,
Barrett,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Fullerton,
Freed,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 758, as follows:

An Act to further amend section fifty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the Board of Fish Commissioners to adopt certain rules and regulations governing the taking of fish by trolling from moving boats electrically propelled or propelled by internal combustion motors and making it unlawful to engage in such trolling in violation of the rules and regulation thus adopted

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section fifty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 801) is hereby further amended to read as follows

Section 50 Devices to Catch Game-fish Bait-fish and Fish-bait No person shall use any device means or method whatsoever except as in this article otherwise provided for taking fish from the waters within this Commonwealth except the following that is to say for

(a) Game-fish two rods and two lines and one hand line with not more than three hooks attached to either line

(b) Bait-fish and fish-bait two rods and two lines with not more than three hooks attached to each line a dip-net or minnow seine not over four feet square or four feet in diameter a minnow trap with not more than one opening which shall not exceed one inch in diameter The rods hooks and lines must be under the immediate control of the person using the same

(c) Pickerel not more than five tip-ups when fishing only through holes in the ice

(d) It shall be unlawful to take or attempt to take fish of any kind by the methods known as snatch-fishing foul hooking or snag-fishing or the taking or fishing for fish with hook or hooks baited or otherwise attached to rod or line or other device for the taking of or fishing for fish with any device whatsoever which may be used to capture any fish by engaging such device in to or with any part of the body of a fish

(e) Eels in rivers of this Commonwealth in addition to such rods and lines eel chutes from the first day of August to the last day of November in each year Sundays excepted but only from four o'clock in the afternoon to eight o'clock in the morning on such days when a special license therefor in addition to the regular fishing license has been first secured Eel chutes to be lawful shall not have any wings of netting of any kind or any cloth or wire netting but shall be constructed of wooden slats or lath which shall not be closer than one-half inch in the bottom Eel chutes shall not be more than five feet long and the width of entrance of an eel chute shall not be more than ten feet A metal tag issued at the time the special license is secured shall be securely fastened to the eel chute in a conspicuous place

No wing walls of stone or other material shall be constructed for more than three-fourths of the distance across any river The heads of no two wing walls when constructed side by side shall be closer together than a distance of twenty feet

All eel chutes must be kept free of rubbish and all game fish found therein must be immediately returned to the water of the river uninjured

During the hours of each day and on Sunday when the operation and use of eel chutes is not legal under this section a portion of the bottoms of such chutes shall be removed to facilitate the unobstructed passage of fishes

(f) [It shall be unlawful to take or attempt to take fish of any kind by trolling from a moving boat electrically propelled or propelled by an internal combustion motor] The Board of Fish Commissioners is hereby authorized to adopt appropriate rules and regulations governing the taking of fish by trolling from a moving boat electrically propelled or propelled by an internal combustion motor Such rules and regulations shall specify the waters within the Commonwealth in which such trolling may be engaged in

It shall be unlawful to engage in such trolling in violation of the rules and regulations duly adopted by the Board of Fish Commissioners

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
McAtee,
Maxwell,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection House Bill No. 828, Printer's No. 450 and House Bill No. 873, Printer's No. 451, were passed over at the request of the SPEAKER Pro Tempore.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 991, as follows:

An Act to amend article thirty-one of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the laws relating thereto" by adding thereto section 3210.1 providing for exoneration of certain sewer assessments and the satisfaction of sewer liens and the discharge of properties covered thereby

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Article thirty-one of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended by adding thereto after section 3210 a new section to read as follows

Section 3210.1 Exoneration The council of each city shall have authority to exonerate the collector of sewer including storm and lateral sewer assessments and liens from the collection of any sewer including storm and lateral sewer assessments and liens together with the costs penalties and interest that have accrued thereon where public charitable institutions not operated for private or corporate profit are primarily or ultimately liable for the same and the council of each city shall also have authority by resolution to discharge any such property or properties covered by such sewer including storm and lateral sewer liens by directing the satisfaction thereof in order to effectuate the purpose hereof

Section 2 the provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL NOT ON FILE

The SPEAKER Pro Tempore. House Bill No. 843, Printer's No. 473, on page 28 of today's calendar, is not on file and will be passed over.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. ROOT.

The House resumed the consideration on third reading of House Bill No. 558, entitled:

An Act to further amend section two to add Sections 2.1 2.2 2.3 and 2.4 to and to amend Section 5 of the act approved the twenty-ninth day of March one thousand eight hundred ninety-nine (P. L. 21) entitled "An act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act" by changing qualifications as to education and fitness necessary before taking examination further regulating the business or practice of certified public accountants prohibiting such practice by corporations and by individuals copartnerships or associations under any name other than that of the person or persons so practicing and fixing penalties

On the question,

Will the House agree to the bill on third reading?

Mr. ROOT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER Pro Tempore. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 10, by striking out the words "business or."

Amend title, page 1, line 11, by striking out the words "certified public accountants" and inserting in lieu thereof: "accountancy."

Amend Sec. 2 (Sec. 2.1), page 4, line 13, by inserting after the word "accountant" the following: "or public accountant or as an auditor or accountant."

Amend Sec. 2 (Sec. 2.1), page 4, line 16, by striking out the words "business or.'

Amend Sec. 2 (Sec. 2.1), page 4, lines 21 and 22, by striking out the words "holding certificates as provided by this act and."

Amend Sec. 2 (Sec. 2.2), page 4, line 29, by striking out the words "when such employes are certified public."

Amend Sec. 2 (Sec. 2.2), page 5, line 1, by striking out the word "accountants"

Amend Sec. 2 (Sec. 2.3), page 5, line 6, by inserting after the word "accountant" the following: "or public accountant or as an auditor or accountant."

Amend Sec. 2 (Sec. 2.4), page 5, line 11, by inserting after the word "accountant" the following: "or public accountant or as an auditor or accountant."

The SPEAKER Pro Tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

Mr. SCANLON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER Pro Tempore. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, 8th line of title, by inserting after the word "by" the following: "increasing the number of examinations."

Amend sec. 1 (sec. 2) page 3, line 2, by inserting light face brackets before and after the word "once" and inserting immediately thereafter the word: "twice."

Amend sec. 1 (sec. 2) page 3, line 3, by inserting light face brackets before and after the words "month of" and inserting immediately thereafter the following: "months of May and."

Amend sec. 1 (sec. 2) page 4, line 1, by striking out the word "five" and inserting in lieu thereof the word: "three."

The SPEAKER Pro Tempore. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

THE SPEAKER (IRA T. FISS) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Lancaster, Mr. Royer, for presiding.

SENATE BILL No. 272 MADE SPECIAL ORDER

Mr. WALTER E. ROSE. Mr. Speaker, I move that Senate Bill No. 272, Printer's No. 245, on page 12 of today's calendar, be made a special order of business for Wednesday, April 21, 1943, at 2 p. m.

The motion was agreed to.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 588.

An Act to amend paragraph four of subsection (c) of section two hundred two and to further amend section six hundred twenty-nine of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by extending the purposes for which certain companies may be incorporated to include insuring medical, hospital, surgical and funeral expenses in connection with certain kinds of liability insurance; and insuring against loss or damage to property from certain causes for which the person insured is liable.

HOUSE BILL No. 649.

An Act to amend section one thousand five hundred seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" by providing a method for financing the cost of constructing sewers or drains

HOUSE BILL No. 838.

An Act to further amend section four of the act, approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof," by suspending, under certain conditions, the operation of certain provisions during the present war.

HOUSE BILL No. 914.

An Act to further amend the title and certain sections of the act approved the twenty-seventh day of April one thousand nine hundred twenty-seven (P. L. 450) entitled as amended "An act relating to fires and fire prevention imposing duties and conferring powers upon the Pennsylvania Motor Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to the Pennsylvania Motor Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the Pennsylvania Motor Police and the enforcement of its orders and prescribing penalties" by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMITTEE MEETINGS

There will be meetings of the Committees on

Aeronautics, Wednesday, April 21, at 12:45 p. m. Room 327.

Appropriations, Wednesday, April 21, at 11:30 a. m. Room 328.

Boroughs, Wednesday, April 21, at 10:30 a. m. Room 522.

Building and Loan, Tuesday, April 20, after recess. Room 330.

Constitutional Amendments, Wednesday, April 21, at 12 Noon. Room 325.

Dairy Industries, Wednesday, April 21, at 10 a. m. Room 331.

Education, Wednesday, April 21, at 11 a. m. Room 323.

Highways, Wednesday, April 21, at 10:30 a. m. Room 329.

Mines and Mining, Wednesday, April 21, at 12 Noon. Room 323.

Printing, Wedensday, April 21, at 10:30 a. m. Room 324.

Professional Licensure, Wednesday, April 21, at 11 a. m. Room 324.

Public Health and Sanitation, Wednesday, April 21, at 10 a. m. Room 327.

State Government, Wednesday, April 21, at 12 Noon. Room 324.

Workmens' Compensation, Wednesday, April 21, at 12 Noon. Room 330.

Legislative Kiwanis Club Breakfast usually held on Wednesday is postponed until Thursday Morning at Penn Harris Hotel at 8:45 a. m.

Mr. Habbyshaw, Chief Clerk of the House, will entertain the Members of the House of Representatives and the employees of the House at the Penn Harris Hotel on Tuesday, April 27, at 7 p. m. He has provided for you a dinner without ptomaine poisoning, also entertainment and dancing. There shall be no speeches, filibustering or interrogations.

ADJOURNMENT

Mr. COULSON. Mr. Speaker, I move that this House do now adjourn until Wedensday, April 21, 1943, at 1 p. m.

The motion was agreed to, and (at 12:14 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

Vol. 27. HARRISBURG, PA., WEDNESDAY, APRIL 21, 1943. No. 46.

SENATE

WEDNESDAY, April 21, 1943.

The Senate met at 2:00 o'clock, p. m., Eastern War Time.

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

O Lord, whose strength is sufficient for all and who gives us according to our faith, help us to look beyond all clamor and criticism of men. Make us "prisoners of hope" in the stronghold of God.

In our world now shaken by the tramp of armies and the thunder of guns our souls can be at peace if we rest in Thee. "The Lord is our refuge and strength, therefore will we not fear though the earth be removed."

Inspire us with the fear of the Lord and we shall not fear the face of any man.

Help each of us in his appointed place conscientiously to do his work and leave results to Thee, assured that in Thy good time Thou wilt bring it to pass.

O Son of Man who madest known
Through quiet work in shop and home
The sacredness of common things
The chance of life that each day brings,
Thou Masterworkman grant us grace
The challenge of our tasks to face
By loyal scorn of second best
By effort true to meet each test. Amen.

JOURNAL APPROVED

The PRESIDENT PRO TEMPORE. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. SCARLETT, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. TAYLOR, on account of illness.

He also asked and obtained leave of absence for Mr. EDMONDS, on account of illness.

He also asked and obtained leave of absence for Mr. ZIESENHEIM, on account of service in the United States Army.

He also asked and obtained leave of absence for Mr. HOMSHER, on account of death in the family.

Mr. McGinnis asked and obtained leave of absence for Mr. LANIUS, on account of illness.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

MEMBERS, LAWRENCE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 21, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointment as members of the Lawrence County Board of Assistance:

Ivor M. Richards (Republican), 306 Englewood Avenue, New Castle, to serve until December 31, 1945, and until his successor is duly appointed and qualified.

Samuel H. Taylor (Republican), 608 North Ashland Avenue, New Castle, to serve until December 31, 1945, and until his successor is duly appointed and qualified.

Lloyd W. Strayer (Republican), 426 Winter Avenue, New Castle, to serve until December 31, 1944, and until his successor is duly appointed and qualified.

Mrs. Rose Fazzone (Republican), 903 Moravia Street, New Castle, to serve until December 31, 1944, and until her sucessor is duly appointed and qualified.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 150, entitled:

An Act to further amend clause (17) of subdivision (4) of subsection (j) of section four of the act approved the fifth day of December, one thousand nine hundred thirty-six (1937 P. L. 2897), entitled "Unemployment Compensation Law," excluding services of real estate salesmen and real estate brokers from the definition of "employment"

Which was committed to the Committee on Labor and Industry.

House Bill No. 156, entitled:

An Act to amend section three hundred two of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "The Game Law," exempting persons in the armed forces from the payment of a fee to the Commonwealth for resident hunting licenses

Which was committed to the Committe on Forests and Waters, Game and Fish.

House Bill No. 364, entitled:

An Act to amend the title and to further amend sections one, two and three of the act, approved the twenty-first day of May, one thousand nine hundred and thirty-seven (P. L. 787), entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county, city, borough, town, school district or poor district at any sale for the nonpayment of taxes; and the reconveyance or private sale of such property," giving each political subdivision having tax or municipal claims against any such real property, the right to petition court for a compromise agreement or sale authorized by the act

Which was committed to the Committee on Municipal Government.

House Bill No. 377, entitled:

An Act to further amend section eight hundred and twenty-three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," changing the penalty for violation of provisions relating to official inspections

Which was committted to the Committe on Highways.

House Bill No. 481, entitled:

An Act to further amend sections three hundred twenty and three hundred twenty-three of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by providing for retirement allowances to all county employes who are dismissed after having not less than twenty years service

Which was committed to the Committee on County Government.

House Bill No. 501, entitled:

An Act regulating the lien of judgments; prescribing the procedure for the revival of judgments, and for the continuance of the lien thereof; and repealing certain acts and parts of acts

Which was committed to the Committee on Judiciary General.

House Bill No. 518, entitled:

An Act to amend section one thousand seven hundred twelve of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," prescribing the course in the history of the United States to be taught in high schools

Which was committed to the Committee on Education.

House Bill No. 596, entitled:

An Act to further amend sections four hundred four and four hundred ten of the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three, (P. L. 15—1933-34), entitled as amended "Pennsylvania Liquor Control Act" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board.

Which was committed to the Committee on Judiciary General.

House Bill No. 607, entitled:

An Act to further amend sections four hundred twenty-six and four hundred twenty-seven of the act approved the second day of June, one thousand nine hundred fifteen (P. L. 736), "Workmen's Compensation Act of 1915" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board

Which was committed to the Committee on Judiciary General.

House Bill No. 609, entitled:

An Act to further amend sections seven and thirteen of the act approved the third day of May, one thousand nine hundred thirty-three, (P. L. 252), entitled as amended "Beverage License Law" conferring jurisdiction on the county court of Allegheny County in cases of appeals from the Pennsylvania Liquor Control Board

Which was committed to the Committee on Judiciary General.

House Bill No. 710, entitled:

An Act providing for the equalization of salaries for tipstaves in the court of common pleas, oyer and terminer and general jail delivery, quarter sessions of the peace, county court of Allegheny County and orphans' courts, in counties of the second class

Which was committed to the Committee on County Government.

House Bill No. 711, entitled:

An Act to further amend section one thousand one hundred twenty-six of the act approved the eighteenth day of May, one thousand nine hundred eleven, (P. L. 309), entitled "Public School Code," by further providing for the appointment of assistant county superintendents

Which was committed to the Committee on Education.

House Bill No. 720, entitled:

An Act requiring certain taxes of the political subdivisions in Counties of the First Class to be stricken from the records; prohibiting such taxes from being included in the computation of the solvent debts of such political subdivisions; providing for the collection thereof

Which was committed to the Committee on Municipal Government.

House Bill No. 725, entitled:

An Act to amend paragraph seven A of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven

(P. L. 309), entitled "Public School Code," by regulating salaries of continuation teachers in first class districts

Which was committed to the Committe on Education.

House Bill No. 758, entitled:

An Act to further amend section fifty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," by eliminating the provisions thereof which prohibit the taking of fish by trolling from a moving boat electrically propelled or propelled by an internal combustion motor

Which was committed to the Committe on Forests and Waters, Game and Fish.

House Bill No. 799, entitled:

An Act to further amend subsection (a) of section six hundred fourteen of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," by further regulating the suspension of operating privileges by the secretary

Which was committed to the Committee on Highways.

House Bill No. 845, entitled:

An Act to amend sections six hundred seventeen and six hundred twenty-one of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," by removing certain restrictions as to the location of contagious disease hospitals, and authorizing counties to join with any other municipality or hospital in establishing a joint contagious disease hospital

Which was committed to the Committee on County Government.

House Bill No. 991, entitled:

An Act to amend article thirty-one of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," by adding thereto section 3210.1; providing for exonerations of sewer assessments and the satisfaction of sewer liens and the discharge of properties covered thereby

Which was committed to the Committee on Municipal Government.

House Bill No. 1092, entitled:

An Act to amend section twelve of the act, approved the fourteenth day of June, one thousand nine hundred twenty-three (P. L. 710), entitled "Boxing and Wrestling Law" changing the minimum age for participants in amateur boxing, sparring and wrestling matches and exhibitions and providing a penalty

Which was committed to the Committee on Judiciary Special.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Charles H. Ealy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 373, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905) entitled "Vehicle Code," changing the definition of "dealer," providing for the issuance and use of temporary registration cards and temporary registration plates or markers, and prescribing penalties

House Bill No. 421, entitled:

An Act to add section ten to the act approved the first day of July, one thousand nine hundred thirty-seven, (P. L. 2624), entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location, construction, and use of buildings, the size of courts and open spaces, the density of population, and the use of land," authorizing townships to make appropriations for said purposes

House Bill No. 588, entitled:

An Act to amend paragraph four of subsection (c) of section two hundred two of the act, approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "Insurance Company Law of 1921" by extending the purposes for which certain companies may be incorporated to include insuring medical, hospital, surgical and funeral expenses in connection with certain kinds of liability insurance; and insuring against loss or damage to property from certain causes for which the person insured is liable

House Bill No. 649, entitled:

An Act to amend section one thousand five hundred seven of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," by providing a method for financing the cost of constructing sewers or drains

House Bill No. 817, entitled:

An Act to amend the title and the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2420), entitled "An act fixing the hours of rest each calendar week, and the vacation period of members of the Pennsylvania Motor Police, Motor Police and Patrolmen and Guards in State Parks," by changing the name of the Pennsylvania Motor Police to Pennsylvania State Police

House Bill No. 818, entitled:

An Act to amend sections one, two and four of the act, approved the twenty-fourth day of July, one thousand nine hundred forty-one (P. L. 494), entitled "An act creating a Highway Traffic Advisory Committee to the War Department of the United States of America; providing for its appointment; prescribing the powers and duties, and authorizing the use by the committee of the employes, equipment, supplies and facilities of certain State agencies," by changing the name Pennsylvania Motor Police to Pennsylvania State Police

House Bill No. 819, entitled:

An Act to further amend the title and the act, approved the eighteenth day of July, one thousand nine hundred thirty-five (P. L. 1314), entitled, as amended, "An act authorizing the utilization of the Pennsylvania Motor Police Training School for training persons to act as policemen in the political subdivisions of the Commonwealth; prescribing the qualifications for admission of such persons to such school; providing for the payment of certain costs by such students; conferring certain powers upon the Pennsylvania Motor Police; and making an appropriation," by imposing upon the Pennsylvania State Police the duties formerly imposed upon the Pennsylvania Motor Police

House Bill No. 820, entitled:

An Act to amend the title and certain sections of the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), entitled "An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain said funds; providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties," by changing the name of the Pennsylvania Motor Police Retirement System to the Pennsylvania State Police Retirement System and changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police, and conforming said act to existing law.

House Bill No. 824, entitled:

An Act to further amend certain sections of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1046), entitled "An act appropriating the moneys in the Motor License Fund," as reenacted and amended, by making the moneys in the Motor License Fund available to the Pennsylvania State Police to defray the expenses required by such agency in the proper conduct of part of its work.

House Bill No. 826, entitled:

An Act to further amend sections 823 (i) and (j) and 1211 of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," as variously amended, by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

House Bill No. 829, entitled:

An Act to amend the title and sections four, five, six and eight of the act, approved the third day of July, one thousand nine hundred forty-one (P. L. 249), entitled "A supplement to the act, approved the twenty-ninth day of June, one thousand nine hundred thirty-seven (P. L. 2423), as amended, entitled, 'An act establishing a Pennsylvania Motor Police Retirement System; providing for payments upon retirement, death, disability, involuntary retirement, and of certain medical expenses from the State Employes' Retirement Fund, under the Administration of the State Employes' Retirement Board; providing for contributions by members of the Pennsylvania Motor Police and the Commonwealth; providing for the guarantee by the Commonwealth of certain of said funds; providing for the subrogation of the Commonwealth to the rights of the members or dependents against certain third parties; exempting annuities, allowances, returns, benefits, and rights from taxation and judicial processes; and providing penalties,'" by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System and the name Pennsylvania Motor Police to Pennsylvania State Police.

House Bill No. 831, entitled:

An Act to amend the title and certain sections of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 660), entitled "An act providing for the return of escaped prisoners and convicts after apprehension, to the penitentiary or state institution from which they escape, by the agents of the Department of Justice or the Pennsylvania Motor Police, and requiring the penitentiary or state institution to defray the expenses thereof," by changing the name Pennsylvania Motor Police to Pennsylvania State Police.

House Bill No. 833, entitled:

An Act to further amend the title and the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 414), entitled, as amended, "An act providing for a system of recording the identification of persons convicted of crime, and of fugitives from justice, and habitual criminals; conferring powers and imposing duties upon the Pennsylvania Motor Police, district attorneys, police officers, wardens or keepers of jails, prisons, workhouses, or other penal institutions, and sheriffs; providing for the payment of certain expenses by the counties; and imposing penalties," by imposing upon the Pennsylvania State Police the duties and powers previously exercised by the Pennsylvania Motor Police under the act.

House Bill No. 838, entitled:

An Act to further amend section four of the act approved the twenty-fifth day of July, one thousand nine hundred seventeen (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof," by suspending, under certain conditions, the operation of certain provisions during the present war.

House Bill No. 889, entitled:

An Act to amend section eight of the act, approved the twenty-second day of June, one thousand nine hundred thirty-one (P. L. 694), entitled "An act imposing a tax on gross reciepts as an excise on the use of the public highways by certain owners or operators of motor vehicles transporting passengers and property for hire," by changing the name State Highway Patrolmen to Pennsylvania State Police.

House Bill No. 914, entitled:

An Act to further amend the title and certain sections of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (P. L. 450), entitled as amended, "State Fire Marshal Law," by imposing upon the Pennsylvania State Police the duty of administering and enforcing the act.

Whereupon,

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the presence of the Senate signed the same.

HOUSE MESSAGES

The Clerk of the House of Representatives being introduced informed the Senate that the House has concurred in resolution from the Senate as follows:

SENATE BILL No. 112, PRINTER'S No. 189, RECALLED FROM THE GOVERNOR

In the Senate, April 20, 1943.

Resolved (if the House of Representatives concur), that Senate Bill No. 112, Printer's No. 189, entitled "An act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith (perjury) prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act," be recalled from the Governor for amendment.

SENATE BILL No. 67 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 67, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classse; and revising, amending and consolidating the laws relating thereto," establishing the method of appointing, promoting, reducing in rank, suspension, furloughing, discharging, and reinstating members of the police force of counties of the second class; creating and defining the powers and duties of a civil service commission; imposing certain duties and expenses on such counties; and prescribing penalties

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested, which will appear on tomorrow's Calendar.

SENATE BILL No. 174 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 174, entitled:

An Act to further amend section one thousand one hundred thirty-three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making further provision for the creation of the office of district superintendent in districts where such office does not exist

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested, which will appear on tomorrow's Calendar.

He also presented an extract from the Journal of the House of Representatives which was twice read as follows and referred to the Committee on Military Affairs:

AMERICANISM DAY

In the House of Representatives, April 15, 1943.

For many years this country and the world at large has observed May first as May Day and at different places the observance has been marked by various kinds of celebrations.

At times these celebrations have resulted in demonstrations against organized government.

In 1932 the American Legion in Fayette County inaugurated a new kind of observance of the day by staging a parade of Americanism which has grown each year into an event of first importance.

The participation in the celebration of this day by patriotic societies, veterans' organizations and other organizations cannot help but make it throughout the Commonwealth a day to awaken new pride in our American institutions, therefore be it

Resolved (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania urges the setting aside of May first as Americanism Day and urges upon all patriotic veteran fraternal and civic organizations the planning of its celebration in such a manner as will bring to the people of the Commonwealth a full realization of the benefits and privileges and blessings that come to them through the continuance of our American form of government, and be it further

Resolved, That the Governor of the Commonwealth is hereby urged to issue his proclamation further urging the people of the Commonwealth to join in a real American celebration of Americanism Day.

AMENDMENT TO HOUSE BILL No. 440 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 440, entitled:

An Act to further amend section seven hundred two of the act approved the fifth day of May, one thousand nine hundred thirty-five, (P. L. 289), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas; prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers, authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof.

Said bill having been recalled from the Governor for amendment, the votes had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

The PRESIDENT PRO TEMPORE. The bill will appear on tomorrow's Calendar.

REPORTS FROM COMMITTEES

Mr. FARRELL, from the Committee on Appropriations, reported as committed, Senate Bill No. 30, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 372, entitled:

An Act to amend section two hundred and twelve of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by providing for the support of the commission on a revolving fund basis and appropriating moneys for this purpose.

He also, from the Committee on State Government, reported as committed, House Bill No. 844, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that under war time conditions the Department of Property and Supplies may make certain purchases and may authorize any department board or commission to make certain purchases without advertising or competitive bidding further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans and specifications therefor relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings and authorizing departments boards and commissions to make certain purchases of repair parts to contract for public utliity services to rent machinery and equipment to employ labor on a temporary basis under certain conditions to subscribe to certain publications and to take memberships in certain organizations and societies.

Mr. CROWE, from the Committee on Highways, reported as committed, House Bill No. 767, entitled:

An Act to amend section five hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to registration plates and the issuance thereof by the department.

He also, from the Committee on Highways, reported as committed, House Bill No. 771, entitled:

An Act to amend section three hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to registration plates and the issuance thereof.

Mr. WADE, from the Committee on State Government, reported as committed, House Bill No. 374, entitled:

An Act to amend section nine of the act approved the thirteenth day of April one thousand nine hundred and forty-two (P. L. 37) entitled "An act relating to air raid precautions including blackouts conferring certain powers and duties upon the State Council of Defense local and district Councils of Defense political subdivisions members of certain municipal and volunteer agencies and civilians necessary for the safety defense and protection of civilians and property in the Commonwealth providing for the mobilization coordination and use of certain municipal agencies and volunteer agencies including their personnel and equipment providing for immunity from liability for injury or death to persons or damage to property under certain circumstances and providing penalties" by providing for the payment of fines recovered under said section to municipalities and townships.

He also, from the Committee on State Government, reported as amended, House Bill No. 836, entitled:

An Act to amend the title and sections four six seven and eight of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 6) entitled "An act relating to national and State defense providing for the establishment of a State Council of Defense and of local and district councils of defense prescribing the powers and duties thereof and making an appropriation therefor" by conferring certain powers and duties upon the State Council of Defense local and district councils of defense eliminating certain provisions no longer in effect and providing penalties.

He also, from the Committee on State Government, reported as committed, House Bill No. 849, entitled:

An Act relating to child care centers conferring certain powers and duties upon the State Council of Defense local and district councils of defense and political subdivisions providing for the adoption of rules and regulations for the maintenance operation and conduct thereof authorizing appropriations by political subdivisions and providing penalties.

He also, from the Committee on State Government, reported as amended, House Bill No. 917, entitled:

An Act to promote interstate cooperation for the use conservation protection and equitable diversion of the water resources in the Delaware River Basin between and among the States of Pennsylvania New York and New Jersey for the purpose of meeting prospective needs for domestic and municipal water supply regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards requiring permits from and providing for hearings by the Water and Power Resources Board and for appeals from its decision vesting power in the Water and Power Resources Board to vary or modfiy the rules and standards under certain conditions and to adopt rules and regulations and further defining its powers and duties requiring notice to the States of New York and New Jersey of all applications for water diversion providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions.

Mr. CRIDER, from the Committee on State Government, reported as committed, Senate Bill No. 412, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

Mr. THOMAS, from the Committee on Highways, reported as committed, House Bill No. 625, entitled:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) entitled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" by authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads bridges and viaducts wholly on State Armory properties and State Military Reservations and on the grounds of the Soldiers' and Sailors' Home of Erie Pennsylvania and the Pennsylvania State College.

Mr. JAMES, from the Committee on Appropriations, reported as amended, Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and maintenance of the Delaware division of the Pennsylvania Canal.

He also, from the Committee on Appropriations, rereported as committed, Senate Bill No. 121, entitled:

An Act to further amend the title and sections one and three of, and to add section four to, the act, approved the tenth day of April, one thousand nine hundred thirty-one (P. L. 23), entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute, located on the left bank of Oil Creek, in Oil Creek Township or Cherry Tree Township, or both, Venango County, to establish the Drake Well Memorial Park, under the control and supervision of the Department of Forests and Waters; empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth; and making an appropriation," changing the name of said memorial and placing it under the supervision and control of the Pennsylvania Historical Commission, defining the powers and duties of the commission relative thereto, authorizing the employment of certain employes and the payment of their salaries; and making an appropriation.

Mr. SCARLETT, from the Committee on Highways, reported as committed, House Bill No. 115, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permitting the use of red signal lights and sound devices on certain additional vehicles changing the provisions concerning rights of way and providing penalties.

Mr. SNOWDEN, from the Committee on Highways, reported as committed, House Bill No. 789, entitled:

An Act to amend the definition of "Trailer" in section one hundred two as amended of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors steet cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner no registration fee shall be required therefor.

He also, from the Committee on Highways, reported as committed, House Bill No. 780, entitled:

An Act to amend the definition of "Trailer" in section one hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 1005) entitled "An act relating to and regulating tractors and trailers and their operation providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of tractors and trailers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns and townships within the Commonwealth liability for damages caused by the negligent operation of tractors and trailers imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner shall be exempt from registration fees.

Mr. JONES, from the Committee on Judiciary General, reported as amended, Senate Bill No. 554, entitled:

An Act to amend sections two five seven ten eleven twelve fifteen seventeen nineteen twenty-one twenty-two twenty-six and thirty-one and to repeal sections nine twenty-four and thirty-six of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by reducing the membership of said board further conferring revising and defining its jurisdiction duties powers and functions changing the appointment removal and discharge of certain officers.

Mr. STIEFEL, from the Committee on Appropriations, reported as committed, Senate Bill No. 338, entitled:

An Act making a certain deficiency appropriation to the Department of Welfare for The Dixmont Hospital, Dixmont, Allegheny County.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 499, entitled:

An Act making an appropriation to the Department of Health for use in demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 123, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 94, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission for the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 378, entitled:

An Act making an appropriation to the Department of Forests and Waters for use by the Water and Power Resources Board in making necessary repairs to the Pymatuning Swamp project, and for the purpose of making further surveys in connection therewith.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 171, entitled:

An Act making an appropriation to the Department of Forests and Waters, to be used for the purchase of lands in the vicinity of the tract now owned by the Commonwealth containing the birthplace of James Buchanan in Franklin County.

He also, from the Committee on Appropriations, reported as committed, Senate Bill No. 336, entitled:

An Act making an appropriation for The Dixmont Hospital, Dixmont, Allegheny County to provide for the repayment of a loan heretofore made by said hospital to provide funds necessary in the maintenance of said hospital

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 164, entitled:

An Act creating a Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties.

He also, from the Committee on Appropriations, reported as amended, Senate Bill No. 339, entitled:

An Act making an appropriation to the Department of Welfare for the payment of the cost of an additional steam boiler a fire alarm a fire sprinkler system and certain repairs and improvements at The Dixmont Hospital Dixmont Allegheny County.

BILLS INTRODUCED AND REFERRED

Mr. WALKER read in his place and presented to the Chair, Senate Bill No. 608, entitled:

An Act to validate and quiet the title to real estate in this Commonwealth heretofore conveyed to a citizen of the United States or a corporation authorized to hold such real estate by any building and loan association whose charter had expired.

Which was committed to the Committee on Banking.

Messrs. WALKER and BECKER read in their places and presented to the Chair, Senate Bill No. 609, entitled:

An Act relating to the release, reduction or limitation of powers of appointment.

Which was committed to the Committee on Judiciary General.

Mr. JAMES read in his place and presented to the Chair, Senate Bill No. 610, entitled:

An Act to suspend the provisions of any laws requiring the breaking of packages or bottles in which liquors were contained.

Which was committed to the Committee on Law and Order.

Mr. WADE read in his place and presented to the Chair, Senate Bill No. 611, entitled:

An Act to further amend section two thousand two of, and to add section two thousand thirteen to, the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by broadening certain provisions thereof prescribing the purposes and functions of state teachers' colleges, and by authorizing the expansion of the curriculum and activities of the Cheyney Training School for Teachers.

Which was committed to the Committee on Education.

Mr. McGINNIS read in his place and presented to the Chair, Senate Bill No. 612, entitled:

An Act abating certain tax penalties and interest imposed on unpaid delinquent, county, city, borough, township school, poor district and institution district taxes in counties of the second class; prohibiting the sale of real property for the nonpayment of such taxes for a certain period; preserving certain tax liens and providing for the extension thereof.

Which was committed to the Committee on County Government.

Mr. MALLERY read in his place and presented to the Chair, Senate Bill No. 613, entitled:

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 452), entitled as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to lease any project constructed by it to any person, copartnership, association or corporation, for certain uses.

Which was committed to the Committee on State Government.

RECESS

Mr. WALKER. Mr. President, I move that the Senate do now take a recess in order that a meeting of the Committee on Judiciary General may be held, at once, in Room 536.

Mr. STEVENSON. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. HEYBURN. Mr. President, I move that the Senate do now return to the order of business of reports of Committees.

Mr. WALKER. Mr. President, I second the motion.

The motion was agreed to.

Mr. WATKINS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 609, entitled:

An Act relating to the release, reduction or limitation of powers of appointment.

Mr. KEPHART, from the Committee on Agriculture, reported as committed, House Bill No. 895, entitled:

An Act to further reenact and amend the title and the act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled as amended "An act relating to the grading and sale of grapes and potatoes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" by extending the provisions to apples and peaches and permitting the grading classifying and packing of grapes potatoes apples and peaches other than those packed or repacked within this State.

Mr. DENT, from the Committee on Mines and Mining, reported as amended, House Bill No. 583, entitled:

An Act to further amend section fourteen of article four and section one of article five of the act approved the ninth day of June one thousand nine hundred eleven (P. L. 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" further regulating lamps to be carried by shot-firers and fire bosses.

Mr. MUNDY, from the Committee on Mines and Mining, reported as committed, House Bill No. 797, entitled:

An Act to amend section two of article five of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by providing that certain low pressure boilers used for heating purposes only shall be exempt from the requirements of said section which prohibits the installation of boliers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal.

He also, from the Committee on State Government, reported as committed, House Bill No. 993, entitled:

An Act to amend clause (g) of section two hundred four of the act approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 853) entitled "An act relating to taxation designating the subjects property and persons subject to and exempt from taxation for all local purposes providing for and regulating the assessment and valuation of persons property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations amending revising and consolidating the law relating thereto and repealing existing laws" by providing that the exemption from local taxation afforded to certain public property shall not extend to property otherwise taxable which is owned or held by an agency of the Government of the United States.

Mr. McCREESH, from the Committee on Agriculture, reported as amended, Senate Bill No. 571, entitled:

An Act to further amend sections twenty-six and thirty-five of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases; providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies and for the illegal killing of licensed dogs, and the payment of such damages by the Commonwealth; imposing powers nad duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," providing for payment by the Commonwealth for the Pasteur treatment against rabies; and fixing the Commonwealth's liability for enforcement of said act.

Mr. WALKER, from the Committee on Judiciary General, reported as committed, House Bill No. 678, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the re-settlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for state purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund clarifying certain provisions relating to extensions of time for filing tax reports or returns eliminating the provisions imposing interest on tax and bonus at any greater rate than six per centum per annum changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time providing for the automatic adjustment of interest liability so as to correspond to certain changes in tax or bonus liability and further regulating the procedure for filing petitions for resettlement petitions for review appeals to court and the security accompanying such appeals

which was referred to the Committee on Judiciary General by mistake.

Mr. WATKINS from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid over for one day under the rules.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert G. Bonser, 50 Lackawanna Avenue, East Stroudsburg, Monroe County, for appointment as Justice of the Peace in and for the Borough of East Stroudsburg, Monroe County, until the first Monday in January, 1944, vice Ralph J. Booth, deceased.

EDWARD MARTIN.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 155

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 155, entitled:

An Act to further amend section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," exempting persons in the armed forces from the payment of a fee to the Commonwealth for resident fishing licenses.

BILL INTRODUCED AND REFERRED

Mr. SNOWDEN. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Clair hears none.

Mr. SNOWDEN read in place and presented to the Chair Senate Bill No. 614, entitled:

An Act to amend Route 58084 established by amendment to the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act."

Which was committed to the Committee on Highways.

PERMISSION TO ADDRESS SENATE

Mr. HALUSKA asked and obtained unanimous consent to address the Senate.

Mr. HALUSKA. Mr. President, at the present time all of us, no doubt, are under the impression that this Session of the Senate will adjourn sine die next week.

I, myself, can not believe it is possible that we might adjourn next week, but be that as it may, several weeks ago I spoke briefly on certain bills that are in the Committee of Welfare, Public Assistance and Pensions, and I think they should be given some consideration.

The Chairman of that committee very kindly arose that day and told me he was also interested in some of those bills and at a later date would call a meeting and give those who might be interested in those bills an opportunity to make an appearance

We all know that Senator Edmonds, from Montgomery County, who happens to be Chairman of the Committee, is not well and can not sincerely do justice to his job—I for one would not expect him to—but in the meantime this Session is coming to an end and I believe that we have certain bills in that Committee that should be given some consideration.

I should like to offer a friendly suggestion to the Chair at this time, that it, since the Chairman of that Committee can not function sincerely, because of his condition, that a new chairman be appointed and call a meeting of this Committee and give these bills due consideration, so if you find they have any merit they might be reported out in due time to pass both this Chamber and the House.

PERMISSION TO ADDRESS SENATE

Mr. McGINNIS asked and obtained unanimous consent to address the Senate.

Mr. McGINNIS. Last week a group of Democratic Senators and members of the House called on the Governor and urged the Governor to do what he could to pass non-partisan and what we might call war-time legislation.

They had a conference with the Governor for an hour or more and then on Saturday I received a letter from the Governor suggesting that a committee be appointed, to consist of the Floor Leaders of the House and Senate, the President Pro Tempore of the Senate, the Speaker of the House, and two members, one each to be appointed by Mr. Lichtenwalter and myself. Accordingly, I have named Senator Shapiro and Mr. Lichtenwalter has named Mr. Bentzel.

I have talked this matter over with Senator Heyburn and the committee will endeavor to meet this afternoon during a recess.

RESOLUTION

Messrs. WADE and HOMSHER offered the following resolution which was twice read as follows, and referred to the Committee on State Government:

JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE STATE EMPLOYES' RETIREMENT FUND, PUBLIC SCHOOL EMPLOYES' RETIREMENT FUND, AND PENNSYLVANIA MOTOR POLICE (OR PENNSYLVANIA STATE POLICE) RETIREMENT FUND

In the Senate, April 21, 1943.

Whereas, the General Assembly of the Commonwealth of Pennsylvania recognizes that at the time that it enacted legislation establishing The State Employes' Retirement Fund, The Public School Employes' Retirement Fund, and The Pennsylvania Motor Police (or Pennsylvania State Police) Retirement Fund, it in effect undertook to underwrite these Funds, and that consequently it is encumbent upon the General Assembly to make sure that the said Funds are maintained on a sound basis according to proper actuarial standards, and continued on the most conservative basis in the interest of both pensioners and taxpayers; and

Whereas, the continued interest of the General Assembly in the proper maintenance of the said Funds is evidenced by the fact that some twenty-three bills relating to these Funds were introduced in the 1941 session of the General Assembly; and

Whereas, the Governor of the Commonwealth in his budget message to the current session of the General Assembly has recommended an appropriation of $6,670,000 to the Public School Employes' Retirement Fund, which is an increase of $470,000 over the appropriation for the 1941-1943 biennium, and an appropriation of $2,845,560 to the State Employes' Retirement Fund, which is an increase of $1,238,274 over the appropriation for the 1941-1943 biennium; and

Whereas, it is the general impression and hope of the General Assembly that the said Funds are now solvent and the belief of the General Assembly that they should be maintained in accordance with proper actuarial standards; now therefore be it

Resolved (if the House of Representatives concur) That the President pro tempore of the Senate appoint three members of the Senate, and the Speaker of the House of Representatives appoint three members of the House to act as a joint legislative committee to examine and investigate all matters relating to the soundness of the aforesaid Funds on the basis of proper actuarial principles, with a view to determining what action, if any, should be taken by the General Assembly in order to assure the maintenance of these Funds on a sound actuarial basis; and be it further

Resolved, That the said committee shall elect one of its members as chairman and shall have power to issue subpoenas under the hand and seal of such chairman, requesting and commanding any person or persons to appear before it and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records, and documents as the committee may deem necessary. Such subpoenas may be served by any person, and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committeee or to produce any books, papers, records or documents, shall be subject to the penalties provided by the laws of the Commonwealth in such cases; and be it further

Resolved, That the aforesaid committee make a final and complete report on this subject to the regular session of the General Assembly for the year one thousand nine hundred forty-five, which report shall embody its findings and conclusions, together with its recommendations for such action by the General Assembly, if any, which it shall deem necessary, including drafts of any recommended legislation.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency, the Governor of the Commonwealth, on April 21, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 21, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Anna Saccone, Churchill.

CLINTON COUNTY

Miss M. Eleanor Dickey, Lock Haven.

CRAWFORD COUNTY

Miss Ruth Baird, Vernon Twp., c/o American Viscose Corp., Meadville.

MERCER COUNTY

L. Norman Dilley, Greenville.

PHILADELPHIA COUNTY

Mrs. Helen R. Collison, Phila., 1326 Walnut St.
Russell G. Williams, Phila., 111 South 15th St.

VENANGO COUNTY

W. G. Terry, Franklin.

EDWARD MARTIN

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Dent,
DiSilvestro,
Farrell,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel.
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. WATKINS and Mr. TALLMAN,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, just taken from the table, which were read by the Clerk as follows:

The motion was agreed to.

TRUSTEE, FARVIEW STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 12, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Stratford, Forest City, Susquehanna County, for appointment as a member of the Board of Trustees of Farview State Hospital, for the term of four years, and until his successor is qualified, to fill a vacancy.

EDWARD MARTIN

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate S. M. Kohler, Box No. 32, Fayetteville, Franklin County, for appointment as Justice of the Peace in and for the Township of Greene, Franklin County, until the first Monday in January, 1944, vice Robert C. Boyles, resigned.

EDWARD MARTIN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate David R. Moody, 440 Olive Avenue, North Charleroi, Charleroi, for appointment as Justice of the Peace in and for the Borough of North Charleroi, Washington County, until the first Monday in January, 1944, to fill a vacancy.

EDWARD MARTIN

MEMBER, PIKE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Dorette Gumble (Republican), Paupack, Pike County, for appointment as a member of the Pike County Board of Assistance, to serve until December 31, 1944, and until her successor is duly appointed and qualified, vice William Weintz, resigned.

EDWARD MARTIN

A motion was made by Mr. WATKINS and Mr. TALLMAN,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATKINS. Mr. President, I move that the Executive Session do now rise.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING

BILLS OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 304, on third reading, entitled:

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nominations of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 403, entitled:

An Act to further amend section three hundred and eight of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for the issuance of bonds in accordance with the "Municipal Borrowing Law" changing the conditions for borrowing money for current expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred and eight of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" as amended by the acts approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 516) and the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 6624) is hereby further amended to read as follows

Section 308 Borrowing Powers The commissioners of each county shall have power with the approval of the Department of Internal Affairs in the manner provided by [law] the "Municipal Borrowing Law" to issue and negotiate bonds of the institution district to raise funds for the acquisition of real estate for the erection and equipment of buildings for the payment of the obligations of the predecessor poor district for the refunding of outstanding bonds issued by it or the predecessor poor district and for the funding of notes of the institution district issued under the provisions of this section or of any other floating debt or evidences of indebtedness Such bonds shall be issued and sold in the manner provided by [law for county bonds Provided however That any bonds of the institution district issued to fund its notes shall mature not more than five years from the date thereof] the "Municipal Borrowing Law"

The commissioners may also borrow [moneys] money for current expenses [giving notes] on the credit of the institution district [payable in not over one year] money in anticipation of taxes levied and to be collected for the current fiscal year and issue a certificate of indebtedness payable on a certain date not exceeding one year from the date of issue bearing not over six per centum interest and negotiated for not less than par

Section 2 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECONSIDERATION OF HOUSE BILL No. 403

Mr. HEYBURN. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 403, entitled:

An Act to amend section seven of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by requiring a copy of the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association to be kept in every pharmacy.

passed second reading.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. HEYBURN. Mr. President, I voted "aye."

Mr. WALKER. Mr. President, I second the motion.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. WALKER. Mr. President, I voted "aye."

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 403.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN offered the following amendment:

Amend Sec. 1 (Sec. 7), page 2, line 17, by inserting after the word "Association" the following: "in which Year Book shall be kept a record of all exempt narcotic sales and sales of poisons."

It was agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill?

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Mr. SHAPIRO. Mr. President, I suggest that House Bill No. 403 go over in its order, before passing second reading, so that we may have an opportunity to study the amendments so that it will be on second reading tomorrow.

The PRESIDENT PRO TEMPORE. Is there objection? The bill has already passed second reading.

Mr. DiSILVESTRO. I object, Mr. President, because it is very clear what is being done. If I may make a statement, the objection to the bill in its original bill was that there was no provision that a druggist shall insert in the book the sales of narcotics, made in drug stores, that are exempted under the Narcotics Act. I think that has been cleared up and there is no sense in holding it up. That was the objection originally and it has been corrected by the amendment presented by Senator Heyburn. I made a canvass of the Senators and found that several Senators felt the bill was a little vague and was not clear enough, but I feel that it is clear enough now, and that the bill should not be held up any longer.

After all, the bill is being presented by and has the sanction of the Board of Pharmacy and the Pennsylvania Pharmacists and I think the druggists know what they are doing. Two druggists in the House, Mr. Gross and Mr. Walton, for whom I have a high regard, voted for this bill, which is something to safeguard the public. These books are to be kept in a certain place in the pharmacy, so that when the narcotic men come around they can check up on people who buy paregoric, in drug stores all over the city of Philadelphia and heat the paregoric and use it for injections, which is another way of creating the same reaction that morphine would give.

I think this is a safeguard for public good and I do not think we should hold this bill up any longer.

The PRESIDENT PRO TEMPORE. For the information of the Senator, House Bill No. 403, today, was agreed to on second reading and, therefore, will be on third reading tomorrow, unless the action of the Senate in passing the bill on second reading is reconsidered.

Mr. SHAPIRO. Mr. President, this is a House bill and it already has passed the House and there will be no danger in having this bill go over in order for one day.

I would like to call to the attention of the gentleman from Philadelphia, Mr. DiSilvestro, that I have no particular animosity against this bill, but if this bill is intended for the purpose of which the gentleman from Philadelphia spoke—and I am sure that is his idea of it—it is a good bill and should be passed, but the amendment which has been offered does not restrict the bill to that purpose and this bill still can be used for procuring advertising material in the book, which would destroy the very purpose for which it is intended, that is, that there should be a book in which a record of purchases of narcotics such as referred to by Senator DiSilvestro, should be kept, but in my opinion, at first blush, it does not protect that situation. Therefore, I can not see that any harm would be done by the bill going over in order until tomorrow, before second reading, so that if it does not carry out the intentions of Senator DiSilvestro and myself, I am sure he will agree that it can be corrected.

This is a House bill and allowing it to go over in order until tomorrow will not prevent it from passage and I, therefore, repeat my request that the second reading of this bill be disregarded and that it be considered tomorrow on second reading.

The PRESIDENT PRO TEMPORE. Is there objection? Does the gentleman from Philadelphia, Senator DiSilvestro, remove his objection, in order to permit this bill to appear on second reading tomorrow?

Mr. DiSILVESTRO. Yes, Mr. President.

The PRESIDENT PRO TEMPORE. This bill was agreed to on second reading and, therefore, will be on third reading tomorrow, unless the action by which it passed second reading is reconsidered. If there had been no objection we could have disregarded the passage of this bill on second reading, but the gentleman from Philadelphia, Mr. DiSilvestro, objected to the bill going over in order on second reading. In the opinion of the Chair proper procedure would be to now reconsider the action by which this bill today passed second reading.

RECONSIDERATION OF HOUSE BILL No. 403

Mr. SHAPIRO. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 403, entitled:

An Act to amend section seven of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by requiring a copy of the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association to be kept in every pharmacy

passed second reading.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. SHAPIRO. Mr. President, I voted "aye".

Mr. DiSILVESTRO. Mr. President, I second the motion.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. DiSILVESTRO. Mr. President, I voted "aye".

The motion was agreed to.

BILL OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that House Bill No. 403 on third reading, go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none. Senator DiSilvestro has removed his objection and House Bill No. 403 will be on second reading tomorrow.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 427, entitled:

An Act to amend Sections 2501 2504 2505 and 2506 of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the payment of sewer assessments in monthly or quarterly instalments regulating the filing of liens therefor and authorizing the filing of such liens after the time fixed by law shall have expired

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections 2501 2504 2505 and 2506 of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" are hereby amended to read as follows

Section 2501 Ordinances for Instalment Payments When any township shall authorize the grading subgrading or the permanent paving and improvement of any streets or alleys or parts thereof or the construction of curbs sidewalks or sewers and the entire cost or any part thereof shall be assessed against the properties abutting on such improvement whether by the foot front rule or according to benefits the board of commissioners may provide in the ordinance that the assessment or any of them may be paid in semi-annual or annual instalments and it may also provide that sewer assessments may be paid in twelve monthly or in quarterly instalments Such instalments shall bear interests at a rate not exceeding six per centum to be fixed by the board of commissioners in the ordinance from the date of the commencement of the work or the construction of such improvement

Section 2504 Entry of Liens Liens to secure the assessments or any part thereof remaining due shall be entered in the prothonotary's office of the county in the same form and collected in the same manner as municipal claims are filed and collected Provided however That when any person has accepted the monthly or quarterly payment plan for any sewer assessment as herein provided no lien shall be filed for such assessment except upon a default in payment as provided in section two thousand five hundred six as herein amended

Section 2505 Assessments Where Payable Such assessments shall be payable at the office of the township treasurer or such other place as the ordinance shall provide in semi-annual or annual instalments and in the case of sewer assessments in monthly or quarterly instalments with interest at the rate provided from the date from which interest is computed on the amount of the assessments The moneys so received by the township shall be applied to the payment of such bonds exclusively

Section 2506 Default in Payment of Instalment In case of default in the payment of any semiannual or annual instalment and interest for a period of sixty days after the same shall become due the entire assessment and accrued interest shall become due and the township solicitor shall proceed to collect the same under the general laws relating to the collection of municipal claims

In case of default in the payment of any monthly or quarterly instalment and interest of a sewer assessment for a period of thirty days after the same shall become due a lien shall be filed for the balance due on such assessment and interest accrued thereon In no case shall a township lose its right to file a lien for any sewer assessment by reason of its failure to file the same within the time fixed by general law relating to the filing of municipal liens for any sewer assessment which is being paid under the instalment plan herein provided and if any lien is filed after the time fixed by said general law for the filing thereof because of default in the payment of any instalment such delayed filing is hereby validated and the lien of such assessment claim so filed shall be in full force and effect from the time of such filing

Section 2 The provisions of this act shall become effective immediately upon final enactment and shall include and apply to sewer assessments made in the year one thousand nine hundred and forty-three

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 516, entitled:

An Act authorizing during the continuance of the present war and for a period thereafter the employment except during school hours or after the hour of twelve (12) midnight of certain minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment.

On the question,

Will the Senate agree to the bill on third reading?

Mr. CROWE. Mr. President, I ask unanimous consent to offer an amendment at this time.

The PRESIDENT PRO TEMPORE. Is there objection. The Chair hears none.

The Clerk read the amendment as follows:

Amend sec. 1, page 1, line 3, by inserting after the word "hostilities" the following: "male."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

Mr. SHAPIRO. Mr. President, has there been an amendment offered to the title of this bill?

The PRESIDENT PRO TEMPORE. The Clerk advised the Chair that the amendment does not affect the title.

Mr. SHAPIRO. Mr. President, I have prepared similar amendments and, therefore, I would like to ask unanimous consent to offer amendments to the title, which will conform to the amendments offered by the gentleman from Monroe, Mr. Crowe.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

The Clerk read the amendment as follows:

Amend title by inserting after the word "certain" and before the word "minors" the following: "male."

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing on final passage.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 522:

Mr. BARR. Mr. President, I ask unanimous consent to offer amendments to this bill.

The PRESIDENT PRO TEMPORE. Is there objection?

Mr. HEYBURN. I am sorry, Mr. President, but I will have to object. However, I do not object to the gentleman from Allegheny having the amendments read.

Mr. BARR. Mr. President, I offer the following amendments.

The PRESIDENT PRO TEMPORE. The Clerk will read the amendments and if there is objection it can be then raised. There are a series of amendments proposed, which will be read.

The Clerk read the amendments as follows:

Amend Sec. 2, page 1, lines 3 and 4, by striking out the words "and established directly under the Governor"; Amend Sec. 3, page 1, line 8, by inserting after the word "Governor" the following: "with the advice and consent of the Senate;" Amend Sec. 3, page 2, line 1, by striking out the following: "be repre-;" Amend Sec. 3, page 2, line 2, by striking out the following "sentative of the industrial labor agricultural" and inserting in lieu thereof: "include representatives of industry, labor, agriculture;" Amend Sec. 3, page 2, line 3, by inserting after the word "Pennsylvania" the following: "Such members shall not all be members of the same political party;" Amend Sec. 4, page 2, line 16, by inserting after the word "Director" the following: "with the advice and consent of the Senate;" Amend Sec. 4, page 2, line 18, by striking out the word "Director" and inserting in lieu thereof: "Governor"; Amend Sec. 4, page 2, line 18, by striking out the words "with the approval of the Governor;" Amend Sec. 4, page 2, line 19, by striking out the word "and" and inserting in lieu thereof: "with the advice and consent of the Senate, and the commission shall select;" Amend Sec. 4, page 2, line 23, by striking out the word "Governor" inserting in lieu thereof: "commission"; Amend Sec. 5, page 3, line 1, by striking out the word "such"; Amend Sec. 5, page 3, line 2, by striking out the words "as shall be fixed by the Governor" and inserting in lieu thereof: "commensurate with responsibilities of members of the cabinet, but not more;" Amend Sec. 5, page 3, lines 6 and 7, by striking out the words "Director with the approval of the Governor" and inserting in lieu thereof: ;"commission" Amend Sec. 7, page 6, by inserting between lines 19 and 20 the following: "(o) To prepare a program of extended and strengthened social security, providing against hazards and responsbiilities, not presently provided for at all or not presently adequately provided for, in order to protect the people of the State against unemployment, sickness, accident disability, old age, and other related disabilities, with the objective of affording more protection to more people against more hazards in a more effective manner. The commission shall resurvey present legislation governing the administration of unemployment insurance, workmens compensation, old age assistance, aid to dependent children, assistance to the blind, aged and infirm, child welfare and sick and disability benefits, for the purpose of more effectively integrating such administration, and making recommendations for its betterment.

"(p) To prepare a program extending rural electrification throughout the State."

Amend Sec. 7, page 6, line 20, by striking out the letter "(o)" and inserting in lieu thereof: "(q)".

The PRESIDENT PRO TEMPORE. Is there objection to the amendments?

Mr. BARR. Mr. President, if there is objection, I would like to have the bill lay over, with the amendments, so that the majority members of the Senate can look them over. Some of them seem to think that I have taken power away from the Governor, which I have not. I have given the Governor power because it reads now "hereby create a commission known as the Pennsylvania Post War Planning Commission" and I propose to insert the provision that such members shall not all be members of the same political party. In other words, as it is set up now, the Governor could not appoint any one, if he cared to, from the other party. I think probably the Governor, himself, may care to put on the commission some one from the other party, for example, as has been done in Washington by the President of the United States, when he appointed Republicans as Secretary of War and Secretary of the Navy, and a few others, and I think there are probably some Democrats who have some ideas about post war planning.

Further down in section 7 I have simply added the following: "(o) To prepare a program of extended and and strengthened social security, providing against hazards and responsibilities not presently provided for at all or not presently adequately provided for, in order to protect the people of the State against unemployment, sickness, accident, disability, old age and other related disabilities, with the objective of affording more protection to more people against more hazards in a more effective manner. The commission shall resurvey the present legislation governing the administration of unemployment insurance, workmen's compensation, old age assistance, aid to dependent children, assistance to the blind, aged and infirm, child welfare and sick and disability benefits, for the purpose of more effectively integrating such administration and making recommendations for its betterment," and "(p) To prepare a program extending rural electrification throughout the State."

I would like to ask the majority party to at least look these amendments over before they vote them down.

The PRESIDENT PRO TEMPORE. Does the gentleman from Allegheny request that the bill go over in order?

Mr. BARR. Yes, Mr. President.

REQUEST THAT HOUSE BILL No. 522 GO OVER IN ORDER

Mr. BARR. Mr. President, I ask unanimous consent that House Bill No. 522 on third reading go over in its order.

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny, Senator Barr, withdraws his request for immediate consideration of the amendments and asks unanimous consent that House Bill No. 522 go over in order. Is there objection?

Mr. HEYBURN. I object, Mr. President. This bill has been on the Calendar now for a number of days, it was out on the floor and then referred back to committee, and now it is on the Calendar again.

We are trying to wind up this session of the General Assembly just as quickly as possible, and I do not see where any good purpose would be served in allowing this bill to go over in order. Therefore, Mr. President, I object to the bill going over in order.

Mr. BARR. Mr. President, if it is the intention to adjourn on April 29, there are certainly plenty of days in which to pass this bill. It is now on third reading and all it needs is just one legislative day, as it is a House bill.

The Governor has said that he wanted this committee to sit down and talk about past war measures and so forth, on a non-partisan basis and I thought probably this committee, which as I understand will meet this afternoon or tomorrow morning, could look this over and some of these amendments they may object to and some of them they may agree with.

The Senate again proceeded to the third reading and consideration of House Bill No. 522.

POINT OF ORDER

Mr. BARR. Mr. President, I rise on a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny will state his point of order.

Mr. BARR. Mr. President, what has happened to my amendments?

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny, Mr. Barr, asked unanimous consent to offer amendments, there was objection, and the gentleman from Allegheny then withdrew his request for unanimous consent to introduce amendments and requested that the amendments be read, which was done. Unanimous consent was not given to introduce the amendments. The gentleman from Allegheny then asked that the bill go over in order.

MOTION FOR RECONSIDERATION OF HOUSE BILL No. 522

Mr. BARR. Mr. President, I move that the Senate do now reconsider the vote by which House Bill No. 522 passed second reading.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. BARR. Mr. President, I voted "aye."

Mr. COLEMAN. Mr. President, I second the motion.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. COLEMAN. Mr. President, I voted "aye."

On the question,

Will the Senate agree to the motion?

Mr. BARR. Mr. President, I would like to have a roll call.

The yeas and nays were required by Mr. BARR and were as follows, viz:

YEAS—15

Barr,
Coleman,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring,

NAYS—27

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy,
Pres. Pro. Tem.

So the question was determined in the negative.

Mr. BARR. Mr. President, I would like to interrogate the gentleman from Delaware.

The PRESIDENT PRO TEMPORE. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. I will, Mr. President.

Mr. BARR. I would like to ask the gentleman from Delaware when this committee about which he and Senator McGinnis spoke intends to meet.

Mr. HEYBURN. The committee intends to meet this afternoon or tomorrow, or this evening.

Mr. BARR. Mr. President, would the gentleman from Delaware object to this bill going over until that meeting is held?

Mr. HEYBURN. Mr. President, I am here under the direction of the Republican Caucus, and this bill has been approved to have third reading and final passage this afternoon. This bill has been before the Legislature for a long time, it has been discussed and re-discussed on many occasions, it has been on the Calendar in the Senate here for a great number of days and, as I said, it went back to committee and then came out again.

I am very sorry, Mr. President, that I can not comply with the request of the gentleman from Allegheny, Senator Barr, but at the direction of the Republican Caucus I must insist on a vote on this bill this afternoon on final passage.

The Senate again proceeded to the third reading and consideration of House Bill No. 522, entitled:

An Act relating to post-war planning creating a Post-War Planning Commission and defining its powers and duties conferring powers and duties upon State administrative departments boards and commissions political subdivisions and other agencies and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 This act shall be known and may be cited as the Post-War Planning Law

Section 2 There is hereby created and established directly under the Governor a commission to be known as the Pennsylvania Post-War Planning Commission hereinafter termed "commission"

Section 3 The commission shall consist of ten members to be appointed by the Governor The membership of the commission shall be so selected as to be representative of the industrial labor agricultural business educational and civic life in the Commonwealth of Pennsylvania The members shall serve without compensation but may receive their traveling and other expenses incurred in the performance of the work of the commission The Governor shall have the power to fill any vacancy occurring in the membership of the commission Six members of the commission shall constitute a quorum All of the provisions of the Act of April 9 1929 (P. L. 177) as amended designated as "The Administrative Code of 1929" which apply generally to administrative departments or independent administrative boards and commissions or generally except to the Department of the Auditor General and the Treasury Department shall apply to the commission

Section 4 The Governor shall also appoint a Director who shall be an ex officio member of the commission The Director shall with the approval of the Governor appoint an Assistant Director and such experts statisticians clerks stenographers and other assistants and employes as may be required for the proper conduct of the work of the commission The Director with the approval of the Governor shall have power to appoint technical advisory committees to advise on the technical phases of the work of the commission The members of the technical advisory committees shall serve without compensation but may receive their traveling or other expenses incurred in the performance of the work of the commission

Section 5 The Director shall receive such compensation as shall be fixed by the Governor The Assistant Director and such experts statisticians clerks stenographers and other assistants and employes as are engaged in the work of the commission shall receive such compensation as shall be fixed by the Director with the approval of the Governor which compensation shall however conform to the standards established by the Executive Board for similar positions in the State service

Section 6 The commission shall have the power and its duty shall be to undertake studies and research to prepare such plans and to recommend such measures and to assist in their execution as shall be deemed necessary to offset as far as possible the economic dislocation of the post-war period and to create and maintain employment in order to prevent the recurrence of mass unemployment with resultant threats to the health wealth prosperity and morale of the citizens of this Commonwealth

Section 7 Without impairment of the general powers and duties conferred by the preceding section of this act the commission shall have the specific power and its duty shall be

(a) To formulate plans for the utilization and the conversion of war plants for post-war needs the development of post-war markets the diversification and integration of regional production and the fullest use of all native materials agricultural products the means of transportation and labor resources of the Commonwealth in order that post-war production may be stimulated and employment created and maintained during the post-war adjustment period

(b) To formulate and carry into effect a comprehensive plan of industrial research for the development of the fullest use of raw materials of the Commonwealth and the industrial products of agriculture including mineral research to discover further resources of oil coal iron or other mineral deposits within the Commonwealth and an analysis of the industrial waters of the Commonwealth the utilization of existing raw materials and the development of their further possibilities as a source for chemical and plastic products the possibilities of the development of industrial oil fibre or other agricultural crops and their utilization in local industries

(c) To organize or to assist and coordinate the efforts of local and regional committees organizations and clubs for the appraisal of local resources and for the integration of local industries plant facilities raw materials and agriculture in order to stimulate local post-war production and the employment of local labor

(d) To make or cause to be made studies of labor supply war-time population movements or changes and such other social factors as define the extent of the post-war employment problem

(e) To make or cause to be made studies of and to develop plans for meeting the various acute post-war regional problems of industry in the Commonwealth with the objective of a greater diversification of production and a fuller use of existing raw materials for the manufacture of consumers' goods in the anthracite bituminous and steel producing regions of the Commonwealth

(f) To formulate plans to develop the fuller post-war use of the facilities of the ports of the Commonwealth for foreign and domestic commerce

(g) To undertake or cause to be undertaken an investigation of the transportation systems and facilities in the Commonwealth to permit the most economical distribution of agricultural industrial and mineral products raised manufactured or mined in the Commonwealth and to permit a more economical location of industrial plants in the Commonwealth

(h) To study or cause to be studied the effects of obsolescence of existing supplies and materials on post-war markets the changing pattern of consumer needs and the effect of Federal taxes and expenditures upon consumer purchasing power

(i) To study or cause to be studied the comparative effect of State taxes upon the cost of manufacture of products in Pennsylvania as compared to other industrial states

(j) To prepare or cause to be prepared plans and to recommend measures to rehabilitate disabled veterans and provide immediate employment and civilian readjustment for the men and women honorably discharged from the armed forces of the United States

(k) To investigate and develop or cause to be developed plans for the extension of vocational education and the training and re-training of workers and men and women honorably discharged from the armed forces of the United States for peace-time employment

(l) To prepare or cause to be prepared general and specific plans for a long-range program of public works by the Commonwealth and its political subdivisions including public buildings highways drainage and sanitary systems anti-stream pollution flood control aviation fields parkways bridges waterways harbors parks recreation centers forest reservations slum clearance and housing

(m) To formulate or cause to be formulated plans for and to assist in the establishment of agricultural and home industries for the post-war employment of persons otherwise unemployable because of age physical incapacity or otherwise in the manufacture of useful and necessary products from raw materials

(n) To cooperate with similar and other agencies of other states and of the Federal government in formulating and adopting comprehensive regional plans in furtherance of any of the powers and duties heretofore enumerated

(o) To adopt amend and repeal rules regulations and by-laws governing its procedure and activities

Section 8 The commission in carrying out the aforesaid powers and duties shall act so far as practicable in a coordinating capacity and shall not duplicate the work of any existing State or political subdivision agency The provisions of this act shall not be deemed to repeal or impair any law now in effect and shall not curtail the powers and functions of any administrative department board or commission of the Commonwealth or of any political subdivision of the Commonwealth So far as practicable the commission shall utilize the services and facilities of existing administrative departments boards and commissions of the Commonwealth the political subdivisions of the Commonwealth and any agency thereof the universities colleges and other educational or endowed institutions in the Commonwealth and civic and other planning bodies in the Commonwealth The commission shall devise a practical and working basis for the cooperation and coordination of the powers and duties of the aforementioned State local and other agencies in order that there will be no duplication and overlapping of the powers duties or functions of such agencies in carrying out the purpose of this act

Section 9 The sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the Pennsylvania Post-War Planning Commission for the payment of the salaries wages and other compensation of the Director Assistant Director and the experts statisticians clerks stenographers and other assistants and employes for the payment of traveling and other expenses authorized by this act for postage stationery equipment printing and supplies for the making of researches surveys investigations comprehensive plans and programs and architectural and engineering plans and specifications and any other expenses whatsoever necessary for the proper conduct of the work of the commission

Section 10 This act shall become effective immediately upon its final enactment

On the question,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, this is the first real sign of any attention being given to post war planning, but I am sorry to see that this bill, in my opinion, does not do anything toward post war planning. The sum of $200,000, given to the committee to take on the work that this committee could and should do seems like a farce, seems like denying the very alleged purpose of the bill.

This is not, in my opinion, a post war planning commission; in my opinion it is just an investigating committee with $200,000 to spend. All of the important things that should be considered, particularly social legislation, are apparently deliberately omitted from this bill.

There was introduced in this body by the Senator from Allegheny, Mr. McGinnis, a bill for post war planning which provided that this commission shall set up the machinery which will be necessary to make social security more stable and more sure.

There are several other major problems which are entirely ignored by this bill. I do not propose to make a political speech on this bill, but I do propose to put this statement on the record, merely for the purpose of explaining the reason for the vote which I shall cast on this bill, which shall be "no."

Mr. BARR. Mr. President, I desire to read to the Senate a letter sent by Governor Martin to Mr. McGinnis, as follows:

"Commonwealth of Pennsylvania,
"Governor's Office, Harrisburg, April 16, 1943.

"Dear Senator:

"Wednesday, a group representing the Democrats of the Senate and the House, called on me relative to bills now pending before the Legislature.

"Thursday morning, I noted in the newspapers that this proposal had been presented to the Legislature and given to the press. I discussed all these matters with the Committeee in good faith.

"I am extremely anxious to have every possible assistance in the crisis now confronting us.

"I have two objectives as Governor of Pennsylvania. The first is to do everything possible to speed our war effort. Second, to have Pennsylvania in a sound financial position at the close of the war so that our post-war planning may be immediately put into effect.

"I think, in order to retain our form of government, we must continue the two-party system. However, I need every possible assistance and I would suggest that a Committee, consisting of yourself and Honorable Reuben E. Cohen, with another Senator and another Representative of your party, meet with Senator Ealy, Senator Heyburn, Speaker Fiss and Representative Lichtenwalter, to consider the non-partisan legislation before you.

"This is merely a suggestion as I have no 'must' legislation and no desire to usurp the powers of the Legislature.

Very sincerely,
EDWARD MARTIN.

Honorable Bernard B. McGinnis,
Senate of Pennsylvania,
Harrisburg, Pennsylvania."

Mr. President, I think that the action of the Republican Majority Leader here shows insincerity. If post war planning is to become a partisan or political matter, I do not see any reason why this committee should even bother to meet. It is just another farce and shows the insincerity of the Republican Majority, as they do not want to cooperate even on non-partisan legislation.

Mr. HEYBURN. Mr. President, I do not want to prolong this debate but I suggest that some of the gentlemen have not read the bill. The gentlemen have spoken about the bill containing no reference to social security, and in that connection I refer them to sub section (d), page four, which directs this commission to make a study of labor supply, war time population movements or changes and such other social factors as define the extent of the post war employment problem.

Mr. SHAPIRO. Mr. President, I read the bill and I read those words and I suggest to the gentleman from Delaware that a joint legislative committee could make just the same investigation as that bill suggests a planning commission should make. This is not a planning commission; it is an investigating committee to investigate the social situation of labor. How about social security? How about security after the end of this war? How about the unemployment that will create? What moneys are made available to take care of that situation? What program will be ready? You can do all the investigating you want under this so-called post war planning committee, a committee which can be, according to the terms of the bill, partisan and not non-partisan, just the very thing the gentleman from Allegheny, Senator Barr, pointed out, the very thing that the Governor said that we should sit down and discuss these matters, but with this bill, which you yourselves created without listening to the views of this side, I say very sincerely this is a bad start for this committee, and what you should do would be to allow this bill to go over in order until tomorrow, so that we can sit down and prepare amendments to the bill which would not be objectionable from a non-political point of view, which would produce a constructive bill, which would give this bill some teeth, and in order that the commission would have some power, give it a sizeable sum of money with which to do the work immediately after the war, as soon as hostilities end, and then we could get somewhere.

That is the reason I have hoped that this bill would go over in order. I have read the bill—you say that some of the members have not read the bill—and just because it has the word "social" in it, you say for your purposes that social security is being planned, which is sheer nonsense. This bill merely sets up an investigating committee, with different phrases and words, and it is simply a bill of phrases and words and nothing more.

Mr. HEYBURN. Mr. President, I will take only one minute and then I will be finished. I repeat, the gentleman from Philadelphia, Senator Shapiro, must not have read the bill. He said this is nothing but an investigating committee, and I humbly submit to him that on page 3, line 12, the commission is directed to prepare plans, and as far as this tremendous appropriation is concerned, that he would like to see in the bill, Mr. President, that is a question for a future session of the Legislature; after these plans have been developed, then it is the duty of the Legislature to appropriate the money.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Chapman
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent.
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy,
Pres. Pro. Tem.

NAYS—3

Holland,
Shapiro,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REASONS FOR VOTE

Mr. BARR. Mr. President, I desire the record to explain my vote. I voted "aye" because I think a little something is better than nothing, and I think this bill does very little, I might say little or nothing.

Mr. HOLLAND. Mr. President, I should like to explain my vote. I voted "no" because I do not believe that this bill is sincere in making provisions for post war planning. I also believe that I would be abrogating my right to confirm appointments made on such a committee, which I believe is very important in planning a home-coming for the boys who are now fighting on all fronts.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 532, entitled:

An Act to further amend the last paragraph of section five of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" requiring the board of water assessors to furnish information to departments of the city government

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The last paragraph of section five of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" as amended by the act approved the fifteenth day of June one thousand nine hundred fifteen (P. L. 976) is hereby further amended to read as follows

Section 5 * * * * *

It shall be the duty of the board of water assessors in said cities to furnish [the department of assessors a copy of all water assessments made by them with a description of all properties against which such water-rents or rates have been levied and assessed on or before the first day of December in each year and said department of assessors shall include in their annual return of tax assessments to the city treasurer all water assessments so furnished by the board of water assessors] such departments of the city government such information at such time as the city council by ordinance may ordain

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 565, entitled:

An Act to amend section one of the act approved the sixteenth day of May one thousand nine hundred thirty-nine (P. L. 139) entitled "An act authorizing counties cities boroughs townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds and fixing a penalty for the violation thereof" extending the provisions thereof to meet increased operating expenses during the war emergency

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the sixteenth day of May one thousand nine hundred thirty-nine (P. L. 139) entitled "An act authorizing counties cities boroughs townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds and fixing a penalty for the violation thereof" is hereby amended to read as follows

Section 1 That to meet the emergency occasioned by the extraordinary decrease in tax collections due to business depression and widespread unemployment or to meet increased operating expenses during the war emergency it shall be lawful for any county city borough township of the first and second class and school districts to issue and sell at not less than par bonds bearing interest at a rate not exceeding six per cent (6%) per annum payable in not more than ten (10) years from the date of said bonds in an amount not exceeding eighty per cent (80%) of the amount of uncollected taxes due on real estate at the date of the enactment of the ordinance or the adoption of the resolution authorizing such action less a sum sufficient to pay the interest and taxes covenanted to be paid thereon Any subsequent borrowing under the provisions of this act shall be limited to an amount which when added to the amount or amounts previously borrowed shall not exceed eighty per cent (80%) of the amount of the uncollected taxes less a sum sufficient to pay the interest and taxes covenanted to be paid on the amounts previously borrowed and proposed to be borrowed and the proceeds of any bonds created under the provisions of this act by any such municipality or quasi municipality shall be used only for the payment of the operating expenses of such municipality or quasi municipality

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 595, entitled:

An Act to amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing becoming a nonresident of the State as a cause for forfeiture of rights under the police pension fund

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended to read as follows

Section 4304 Causes for Forfeiture of Rights in Fund Whenever any person shall become entitled to receive an allowance from the police pension fund and shall have been admitted to participate therein he shall not be deprived of his right to an equal and proportionate participation therein upon the basis upon which he first became entitled thereto save from one or more of the following causes that is to say Conviction of a crime or misdemeanor becoming an habitual drunkard [becoming a nonresident of the State] or failing to comply with some general regulation relating to the management of said fund which may be made by ordinance and which may provide that a failure to comply therewith shall terminate the right to participate in the pension fund after such due notice and hearing as shall be prescribed by ordinance

Section 2 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
DiSilvestro,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jaspan,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Scarlett,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING POSTPONED

Mr. BARR. Mr. President, I call up for action, Senate Bill No. 99, Printer's No. 28, appearing on page 4 of the Calendar.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 99, entitled:

A Joint Resolution proposing an amendment to Section one of article Fourteen of the Constitution of the Commonwealth of Pennsylvania by making sheriffs eligible to succeed themselves.

On the question,

Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 99, on third reading, go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection?

Mr. BARR. Mr. President, I would like to move that this bill be recommitted.

MOTION TO RECOMMIT SENATE BILL No. 99

Mr. BARR. Mr. President, I move that Senate Bill No. 99, the bill just read, be recommitted to Committee.

Mr. BECKER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. STEVENSON. Mr. President, I would like to urge the members of the Senate not to send this bill back to committee. I think this is a very equitable piece of legislation and it is something that really should be corrected. It is an antiquated law and the reasons why those provisions were originally put in the constitution have been removed. There is no reason at all why a sheriff should not be re-elected. I would like to oppose this motion.

MOTION TO RECOMMIT WITHDRAWN

Mr. BARR. Mr. President, out of deference to the gentleman from Clinton, Senator Stevenson, I withdraw the motion to recommit this bill.

Mr. BECKER. Mr. President, I withdraw my seconding of the motion.

And the question recurring,

Will the Senate agree that Senate Bill No. 99 go over in order?

It was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. COX asked and obtained consent to address the Senate.

Mr. COX. Mr. President, before we proceed to the next order of business, Senate Bill No. 516, on page 3 of the Calendar was amended today, and unfortunately at that time some amendments which I wished to offer were not prepared but they are in the process of being prepared. I discussed the amendments with Senator Crowe and have his consent to do what I am about to do now.

All I ask is to reduce the time from twelve o'clock until eleven o'clock—that will be the substance of the amendments—but in order to introduce the amendments it will be necessary to reconsider the vote by which Senate Bill No. 516 passed third reading.

The PRESIDENT PRO TEMPORE. For the information of the gentleman from Allegheny, Senator Cox, Senate Bill No. 516 is now on final passage, having been amended and passed third reading today.

POINT OF INFORMATION

Mr. COX. Mr. President, I rise on a point of information.

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny will proceed.

Mr. COX. Mr. President, will it be possible to amend this bill without reconsideration of the vote by which it passed third reading?

The PRESIDENT PRO TEMPORE. It would be possible to do so by obtaining unanimous consent of the Senate. However, the bill has passed third reading and the Chair feels that the vote by which it passed third reading should be reconsidered.

SENATE BILL No. 516, PRINTER'S No. 285, CALLED UP

Mr. COX. Mr. President, before we get over the Third Reading Calendar, I call up at this time Senate Bill No. 516, Printer's No. 285, Page 3 of the Calendar, which was amended.

RECONSIDERATION OF SENATE BILL No. 516

Mr. COX. Mr. President, I move that the Senate do now reconsider the vote by which Senate Bill No. 516, entitled:

An Act authorizing during the continuance of the present war and for a period thereafter the employment except during school hours or after the hour of twelve (12) midnight of certain minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment

passed third reading.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. COX. Mr. President, I voted "aye."

Mr. DENT. Mr. President, I second the motion.

The PRESIDENT PRO TEMPORE. How did the Senator vote?

Mr. DENT. Mr. President, I voted "aye."

The motion was agreed to.

BILL OVER IN ORDER

Mr. COX. Mr. President, I ask unanimous consent that Senate Bill No. 516, on second reading, go over in its order temporarily.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON THIRD READING POSTPONED

Mr. KEPHART. Mr. President, I call up House Bill No. 232, Printer's No. 43, from the Third Reading Postponed Calendar, page 4.

BILL RECOMMITTED

Mr. KEPHART. Mr. President, I move that House Bill No. 232, on third reading, entitled:

An Act to amend section one of the act approved the thirteenth day of May one thousand nine hundred twenty-seven (P. L. 982) entitled "An act relating to the clerk of the court of oyer and terminer and quarter sessions of the peace and municipal court of any county of this Commonwealth having a population of one million five hundred thousand or over providing for the salaries and compensation of the clerk of the court of oyer and terminer and quarter sessions of the peace and municipal court deputies clerks and employes thereof" by changing titles of various deputies clerks and employes and equalizing salaries thereof

be recommitted to the Committee on Judiciary Special.

Mr. BARR. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 46, entitled:

An Act relating to labor organizations protecting the rights of members thereof imposing certain responsibilities and duties upon the officers of labor organizations requiring the registration of foreign labor organizations, and prohibiting gifts by labor organizations to political organizations or candidates for election or nominations, and regulating the making of loans; conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties.

The first section was read and agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART. Mr. President, I desire to offer the following amendments.

MOTION TO RECOMMIT

Mr. HOLLAND. Mr. President, I move that Senate Bill No. 46, Printer's No. 279, with the amendments, be recommitted to the Committee on Labor and Industry.

Mr. McQUIDDY. I second the motion, Mr. President.

The PRESIDENT PRO TEMPORE. For the information of the Senate, the amendments have not been read. It has been moved by the gentleman from Allegheny, Senator Holland, seconded by the gentleman from Allegheny, Senator McQuiddy, that the bill be recommitted to the Committee on Labor and Industry. What is the pleasure of the Senate?

PARLIAMENTARY INQUIRY

Mr. KEPHART. Mr. President, I rise on a point of parliamentary inquiry.

The PRESIDENT PRO TEMPORE. The gentleman from Philadelphia will proceed.

Mr. KEPHART. Mr. President, I have offered amendments to this bill and the motion to recommit the bill does not include the amendments, nor could it, because the amendments have not been acted upon. I think it would be in order for the Senator from Allegheny to move to recommit the bill either after the amendments have been adopted or failed of adoption.

The PRESIDENT PRO TEMPORE. The Chair sustains the gentleman from Philadelphia.

MOTION AMENDED

Mr. HOLLAND. Mr. President, I move that Senate Bill No. 46, Printer's No. 279, with the amendments offered by the gentleman from Philadelphia, Senator Kephart, be recommitted to the Committee on Labor and Industry.

Mr. McQUIDDY. Mr. President, I second the motion.

The PRESIDENT PRO TEMPORE. The Chair has ruled that no action has as yet been taken on the amendments which were offered and that the motion is inconsistent and therefore out of order.

MOTION AMENDED

Mr. SHAPIRO. Mr. President, I would like to offer an amendment to the motion made by the gentleman from Allegheny, Senator Holland, that is, that the bill together with the amendments offered by the Senator from Philadelphia, Mr. Kephart, be recommitted.

PARLIAMENTARY INQUIRY

Mr. SHAPIRO. Mr. President, I rise on a point o parliamentary inquiry.

The PRESIDENT PRO TEMPORE. The gentleman from Philadelphia will proceed.

Mr. SHAPIRO. Mr. President, I understood the Chair to say that since the gentleman's motion was made while amendments to the bill were pending, that his motion was out of order.

The PRESIDENT PRO TEMPORE. The amendments have not actually come into possession of the Senate, as they have not been read, and we do not know what they are, and it seems to the Chair that until some action is taken on the amendments such a motion is out of order.

Mr. SHAPIRO. Mr. President, do I understand that the motion is in order.

The PRESIDENT PRO TEMPORE. It is not, as it has been submitted to the Chair.

Mr. SHAPIRO. I offered an amendment, for the purpose of bringing the motion in order, that the bill be recommitted to committee together with the amendments.

The PRESIDENT PRO TEMPORE. The Chair has ruled that the Senate has taken no action on the amendments.

POINT OF ORDER

Mr. HENRY I. WILSON. Mr. President, I rise on a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Jefferson will proceed.

Mr. HENRY I. WILSON. Mr. President, there is nothing in order at this time except the reading of the amendments. That is a rule of the Senate and I am going to ask that it be complied with and that the amendments be read.

The PRESIDENT PRO TEMPORE. That is the way the Chair understands the proper procedure. The Clerk will read the amendments.

And the question recurring,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 2 by striking out lines 14 to 22 inclusive.

On the question,

Will the Senate agree to the amendment?

Mr. KEPHART. Mr. President, I move that the amendments be adopted.

Mr. JAMES. I second the motion.

POINT OF ORDER

Mr. DENT. Mr. President, I rise on a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Westmoreland will proceed.

Mr. DENT. Mr. President, is there a motion before us now? As I understand it the amendments have been read and a motion has been made that they be accepted. I believe in all fairness, on a bill which means so much to so many thousands of Americans within the confines of this state, the proper thing would be to let the bill lay over, with the amendments not accepted and before asking us to vote on the bill let us see what the amendments do.

Mr. KEPHART. Mr. President, that is what I intend to do. I intend to ask that the bill go over after the amendments are adopted, so that it will remain on second reading, and the members can see what the amendments do.

Mr. DENT. Mr. President, I want the bill to lay over before the amendments are adopted. They can be printed. As has been done before on important bills, amendments have been offered many times in the Senate of Pennsylvania, and we could have enough copies printed to lay upon the desks of members of the Senate. I am not asking anything unreasonable on an important piece of legislation.

Mr. KEPHART. It has been our custom, Mr. President, to adopt amendments and have the bill lay over so that, if unsatisfactory, the bill can again be amended, and that is what I intend to ask be done in this case.

Mr. COX. Mr. President, we are again in the same position in regard to these amendments that we have been ever since I have been in the Senate. There is not a person on this side who knows what these amendments are or what they do, and how you can ask any member of this Senate to vote on amendments to a bill that he does not know about and does not understand is beyond me and I certainly think the request of the Senator from Westmoreland, Senator Dent, should be granted out of courtesy and from the standpoint of intelligently passing on legislation.

POINT OF ORDER

Mr. THOMAS B. WILSON. Mr. President, I rise on a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from McKean will proceed.

Mr. THOMAS B. WILSON. Mr. President, there is a motion pending before the Senate, made by Senator Kephart, seconded by Senator James. The only thing before this Senate is that motion.

The PRESIDENT PRO TEMPORE. The Chair did not understand that there was a seconder to the motion, but if that is the case the Chair suggests that the proper procedure would be to consider these amendments section by section and that the Senate pass upon them section by section. That is what shall be done unless there is some other suggestion.

PARLIAMENTARY INQUIRY

Mr. KEPHART. Mr. President, I rise on a parliamentary inquiry.

The PRESIDENT PRO TEMPORE. The gentleman from Philadelphia will proceed.

Mr. KEPHART. Mr. President, has the Chair recognized the seconder of my motion that these amendments be adopted, My motion was seconded by the gentleman from Bucks, Senator James.

The PRESIDENT PRO TEMPORE. That is correct and the record so indicates. The amendments will be considered in order, section by section.

POINT OF ORDER

Mr. DENT. Mr. President, I rise on a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Westmoreland will proceed.

Mr. DENT. As I understand, Mr. President, a motion to recommit this bill is out of order at this time; is that right?

The PRESIDENT PRO TEMPORE. Will the gentleman from Westmoreland restate his inquiry?

Mr. DENT. Mr. President, is a motion to recommit this bill along with the proposed amendments, out of order at this time or in order.

RULING BY THE CHAIR

The PRESIDENT PRO TEMPORE. In answer to the inquiry of the Senator from Westmoreland, Mr. Dent, the Chair rules that a motion to recommit takes precedence over a motion to amend.

Mr. DENT. Mr. President, having that question satisfactorily answered, I now yield to the gentleman from Allegheny, Senator Holland.

MOTION TO RECOMMIT

Mr. HOLLAND. Mr. President, I now move that Senate Bill No. 46, Printer's No. 279, with the amendments, be recommitted to the Committee on Labor and Industry.

Mr. COX. I second the motion, Mr. President.

The PRESIDENT PRO TEMPORE. Does the gentleman from Allegheny mean that his motion is to recommit Senate Bill No. 46, together with the amendments presented but not adopted?

Mr. HOLLAND. Mr. President, in making this motion to recommit Senate Bill No. 46, Printer's No. 279, to the Committee on Labor and Industry, I do it for this reason, I believe that we live in a free country and I believe in this country we should have learned from the experience of Nazi Germany. Everyone knows that due to an unholy alliance between Thyssen, representing the manufacturer's association of Germany, and Adolph Hitler, a plot was formed to destroy labor unions in Germany, and today we find on the Calendar another plot made between Joe Grundy and General Martin, Governor of the State of Pennsylvania. Oh yes, Mr. President, I will speak louder and the people of Pennsylvania will speak louder when they learn that you, with the cloak of the flag around you, who have time and time again brought out on the floor of this Senate bills wrapped in the American flag, are now tramping on the American flag and denying the right of free Americans to stand up for their rights, and you know why and I know why and the People of Pennsylvania know why.

You are worried today about collateral furnished to those in the labor unions who borrow money. I say to you, members of this Senate, that this bill is paying off your debt to Grundy, I say to you that this bill is paying off your debt to Pew, and you know down in your hearts that is the way you are paying off your debts for sitting in these chairs. You do not for one minute want to let a bill come on this floor to tell how you pay those debts off. I tell you that you are paying them off with this bill. You have gone back to the days of Hitler, you have done the same thing as Hitler, you have conspired with Grundy just the same as Hitler conspired with Thyssen to destroy the labor unions and today we see the whole world at war because there was an unholy alliance between the manufacturers of Germany and the ruler of Germany, and that is what you are doing and you know it.

This bill is dear to my heart. What you are trying to do—I have a memory—I am the son of one of those industrial workers who back in 1894 tried to fight the battle for the men who worked with him in the mills, and the day I was born the corporation interests broke up that union and denied my father the right to work in any steel mill in America because he just stood up and asked for the people's rights.

This is the first step made by the Republican party in Pennsylvania to go back to those days when the men in the mills and mines were slaves. Of, you can put all the amendments you want in this bill—it is still Senate Bill No. 46, the first step to deny the rights of American workers in Pennsylvania, those rights their sons are fighting for on the battlefields. Yes, I fought in the first world war and three weeks ago I took my physical examination to go back and fight in this war, because I thought we were fighting for a principle, I thought we were fighting to make the world a better world in which to live, and I sit in this Senate today and what do I find? I find the Senators of Pennsylvania destroying the things we are fighting for and if there is an ounce of manhood in you, you will go along with this motion to put this bill back in committee where it belongs. It has no place, it has no right to be on the Calendar in a free country like America, and I ask you to not wrap yourselves in the American flag, and I ask you to go along with this motion.

The PRESIDENT PRO TEMPORE. The question is shall Senate Bill No. 46 be recommitted.

On the question,

Will the Senate agree to the motion?

Mr. HOLLAND. Roll call, Mr. President.

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—17

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Walker,
Woodring,

NAYS—25

Becker,
Bowers,
Carr,
Chapman,
Crider,
Deitrick,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy,
Pres. Pro. Tem.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the amendment?

Mr. COLEMAN. Mr. President, this is hardly the same bill upon which a public hearing was held in the Senate Chamber. I imagine if the sponsor could see its contents he probably would hardly recognize it. Some of us on this side have only seen it within the last day or so and we think labor is entitled to be heard on the bill with its new provisions. We have one other method to suggest, and I ask the members on the majority side to permit us that time by adopting this method.

MOTION THAT BILL AND AMENDMENT BE LAID ON THE TABLE

Mr. COLEMAN. Mr. President, in accordance with that one other method I now move that Senate Bill No. 46, together with the amendment, be laid on the table.

Mr. COX. I second the motion, Mr. President.

On the question,

Will the Senate agree to the motion?

Mr. COLEMAN. Mr. President, I ask that the roll be called.

Mr. HEYBURN. Mr. President, I am not too much of a parliamentarian but this is something new to me, to lay a bill on the table which is on the Calendar. I would like the gentleman from Lackawanna to advise me of some rule that would permit that. Amendments can be laid on the table, but this bill is now on the Calendar and how such a bill can be laid on the table I do not know.

Mr. COLEMAN. Mr. President, if the gentleman from Delaware will take the time to look it up—since I have been a member of the Senate and I think he has been here a little longer than myself—I think he will find we have done that on at least four or five occasions when a bill and amendments were laid on the table.

Mr. HEYBURN. Mr. President, I have no objection to voting on the motion. However, Mr. President, I just want to say that in my experience in the Senate, I have never known of a bill on the Calendar being taken from the Calendar, without any action, and laid on the table. That is something completely new to me here. However, I do not object to a vote on it.

Mr. DENT. Mr. President, I agree with the gentleman from Delaware, Senator Heyburn, and also with the gentleman from Lackawanna, Senator Coleman. The Senator from Lackawanna probably is confused by the fact that we often lay bills on the table as they come over from the House but not bills on the Calendar. The motion of the gentleman from Lackawanna would be in order if he asked that the amendments be laid on the table, and I am wondering if that is what he has in mind.

May I interrogate the gentleman from Lackawanna?

The PRESIDENT PRO TEMPORE. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. COLEMAN. I will, Mr. President.

Mr. DENT. Is it the desire of the gentleman from Lackawanna to move that the amendments be laid upon the table?

Mr. COLEMAN. It is my desire that the amendments and the bill be laid on the table.

The PRESIDENT PRO TEMPORE. The Chair rules that such a motion is out of order.

POINT OF INFORMATION

Mr. DENT. Mr. President, I rise on a point of information.

The PRESIDENT PRO TEMPORE. The gentleman from Westmoreland will proceed.

Mr. DENT. As I understand the situation, Mr. President, the question now reverts back to the amendments.

The PRESIDENT PRO TEMPORE. The question is shall the Senate adopt the amendments to the second section? Does the Senate desire that the amendments be re-read?

Mr. DENT. I do not believe that will be necessary. I do not believe it will be necessary to have the amendments read section by section. I only say that you can not amend a principle. I do not care how many amendments you may read into it, this bill, you can not amend the principle. The principle behind this legislation is bad and the amendments can only make it worse.

So, therefore, I ask my colleagues on this side and those of you on the other side who have an honest endeavor to help labor in your hearts to vote against the amendments in order that we may vote upon the main question. I believe the bill is bad with or without the amendments.

And the question recurring,

Will the Senate agree to the amendments to the second section.

Mr. HOLLAND. Roll call, Mr. President.

(During the calling of the roll the following occurred)

Mr. COX. Mr. President, for the record I would like to say that I vote "present."

The PRESIDENT PRO TEMPORE. Does the Senator from Allegheny wish to change his vote?

Mr. COX. Mr. President, I wish to be recorded as voting "present."

The PRESIDENT PRO TEMPORE. The Senator from Allegheny will be so recorded.

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—26

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy,
Pres. Pro. Tem.

NAYS—16

Barr,
Coleman,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Walker,
Woodring,

1—Present

Cox,

So the question was determined in the affirmative.

The section was agreed to as amended.

The third section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Bill, page 2, line 23 by striking out the numeral "3" and inserting in lieu thereof the numeral: "2"; amend Bill, page 2, line 26 by striking out the words: "in detail."

They were agreed to.

The section was agreed to as amended.

The four the section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 3, line 4 by striking out the numeral "4" and inserting in lieu therefo the numeral: "3."

It was agreed to.

The section was agreed to as amended.

The fifth section was read.

On the question.

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 3, line 13 by striking out the numeral "5" and inserting in lieu thereof the numeral: "4."

It was agreed to.

The section was agreed to as amended.

The sixth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 3, line 23 by striking out the numeral "6" and inserting in lieu thereof the numeral: "5."

It was agreed to.

The section was agreed to as amended.

The seventh section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Bill, page 4, line 3 by striking out the numeral "7" and inserting in lieu thereof the numeral: "6"; amend Bill, page 4, line 9 by striking out the words "an application for a certificate"; amend Bill, page 4, line 11 by striking out the words "and shall state" and inserting in lieu thereof the words: "the following information"; amend Bill, page 4, line 25 by striking out the word "with" and inserting in lieu thereof the word: "within"; amend Bill, page 5, line 8 by striking out the word "application" and inserting in lieu thereof the word: "form."

They were agreed to.

The section was agreed to as amended.

The eighth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Bill, page 5, by striking out lines 14 to 29 inclusive; amend Bill, page 6 by striking out lines 1 to 9 inclusive.

They were agreed to.

The section was agreed to as amended.

The ninth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 6, line 10 by striking out the numeral "9" and inserting in lieu thereof the numeral: "7."

It was agreed to.

The section was agreed to as amended.

The tenth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 6, line 13 by striking out the numeral "10" and inserting in lieu thereof the numeral: "8."

It was agreed to.

The section was agreed to as amended.

The eleventh section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 6, line 16 by striking out the numeral "11" and inserting in lieu thereof the numeral: "9."

It was agreed to.

The section was agreed to as amended.

The twelfth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendment:

Amend Bill, page 6, line 22 by striking out the numeral "12" and inserting in lieu thereof the numeral: "10."

It was agreed to.

The section was agreed to as amended.

The thirteenth section was read.

On the question,

Will the Senate agree to the section?

Mr. KEPHART offered the following amendments:

Amend Bill, page 7, line 5, by striking out the numeral "13" and inserting in lieu thereof the numeral: "11"; amend Bill, page 7, line 8 by inserting after the word "records" and before the word "shall" the following words: "or any representative of any foreign labor organization which has not complied with this Act who acts in this Commonwealth for or on behalf of such foreign labor organization."

They were agreed to.

The section was agreed to as amended.

The title was read and agreed to.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill?

BILL OVER IN ORDER

Mr. KEPHART. Mr. President, I ask unanimous consent that Senate Bill No. 46, on second reading, as amended, entitled:

An Act relating to labor organizations protecting the rights of members thereof imposing certain responsibilities and duties upon the officers of labor organizations requiring the registration of foreign labor organizations, and prohibiting gifts by labor organizations to political organizations or candidates for election or nominations, and regulating the making of loans; conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection?

Mr. COX. Mr. President, for the sake of the record I would like to explain my reason for having voted "present". I am unalterably opposed to this bill and to the principles that the bill represents.

However, since we are in a minority, if the majority intends to pass this bill there is not very much we can do to stop you. I have not had an opportunity to examine these amendments and I do not know what they are or what they do. I do not know whether they make the bill less iniquitous or more iniquitous. If they would make it less iniquitous, then I would not feel right in having voted against it and so for that reason I voted "present".

Mr. President, I still insist, as I did at the beginning, when this Senate started this year, in our rules there should be a modification to handle just such a situation as we faced here today.

Mr. SHAPIRO. Mr. President, I should like to explain my vote. I voted "no" because the amendments did not go far enough. The amendments only took out two sections and they should have taken out eleven sections, which would have been the whole bill.

POINT OF ORDER

Mr. HALUSKA. Mr. President, I rise on a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Cambria will proceed.

Mr. HALUSKA. Mr. President, I have witnessed throughout this session that my colleagues on this side of the house and on the other side of the house often times have voted "present". When a bill is voted upon the Chair says that the yeas and the nays shall be taken, and I insist that when a member votes "present" he does not vote; you can not vote "present", you either vote "yes" or "no". A member can not change his vote by voting "present", because he did not vote.

The PRESIDENT PRO TEMPORE. The Chair does not understand that the Senator from Cambria has raised a point of order requiring a ruling by the Chair.

Mr. HALUSKA. Mr. President, my point is that a member having voted "present" he has not voted.

The PRESIDENT PRO TEMPORE. That would seem to be the construction the Chair would have.

Mr. HALUSKA. Mr. President, I intend from this day on, without being offensive to any of my colleagues to to challenge any member who shall vote "present" and ask that he shall vote "yes" or "no".

Mr. MUNDY. Mr. President, I may not have an opportunity later to go on record on a further vote on this bill, and so I ask your indulgence at this time to say a word in explanation of my vote.

It seems an unusually strange thing that a bill which affects so vitally such a number, and a particular class of people of Pennsylvania, that at this particular time the author of the bill should be absent from the floor.

I am told that the author has made the statement that this is a bill which has been offered by the Governor of the state of Pennsylvania, Governor Martin. I would have liked to interrogate the sponsor of the bill upon this point.

I further say that this is a bill which is vicious in its entirety and that no amendments will soften at all the effective blow that is intended by this type of legislation.

Under the guise of taking labor out of politics and prohibiting labor organizations from making contributions to any political party, this bill does something which is eminently more vicious; it places labor directly under the will and the power of the Secretary of Labor, who is made an absolute czar with unlimited control over all of the laboring men of the state of Pennsylvania and who is given the right, and you today abrogated the right, as Senators here, to further legislate anything which would refer to labor in the state of Pennsylvania. You place in one mans hands the power to regulate and to direct, and to say who is fit or what organization is fit to be given the right or given the proper franchise to operate in the state of Pennsylvania, and insidiously, you step out of your range of power by abrogating to yourselves the power to regulate international labor organizations; not content with regulating organizations that are here, and part and parcel of Pennsylvania, this bill would go farther, it would go out any say that any organization outside of Pennsylvania is a foreign organization and that the Secretary of Labor would be the one to judge, within thirty days, whether that organization should function within this state.

The prime honest move, fully exposed in this bill, is a political move, if not to render inert to take away from the laboring man—it is impossible to take away from him individually—but you want to take away from him collectively the right to ask for legislation, the right to go into his meeting and in a formal meeting in a body, organized as you might say, under a collective bargaining system, deny him his rights in the legislative halls of the state of Pennsylvania or from the Chief Executive of Pennsylvania and instead of making him a potential firm mass, moving as a unity, you want to break him up into an impotent individual who comes in craving a favor when he might be in a position to force that favor.

Mr. KEPHART. Mr. President, I would like to correct the statement of the gentleman from Luzerne and tell him that the criticism which he levels at this bill were corrected by the amendments just adopted. I now repeat my request that this bill go over in order.

The PRESIDENT PRO TEMPORE. Without having been read the second time?

Mr. KEPHART. Without second reading, that is right.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

It was agreed to.

PERMISSION TO ADDRESS SENATE

Mr. GELTZ asked and obtained unanimous consent to address the Senate.

Mr. GELTZ. I rise for two purposes, Mr. President, one, because my colleague, Senator Mundy, made some statement as to the sponsor of the bill not being present when the bill was up for consideration, and I wanted to advise my colleague from Luzerne and the rest of my colleagues who did not hear the request made, that Senator Woodward, asked permission to be absent today on account of a death in his family.

The other purpose for which I rise, Mr. President, is to explain my vote on these amendments and the reason I am for this bill. It is, of course, possible that there be honest differences of opinion on this bill, the same as on any other matter.

I am for this bill, Mr. President, because I feel that this bill will be beneficial to the honest working man, the man in the ranks. I can understand Mr. President, why some individuals, who possibly are in the labor movement, for reasons other than for the benefit of the honest working man, would strenously oppose this bill, because it does give the man in the ranks some protection.

One of the strangest things about the movement that has gone on in this country for the last ten years is that we hear everybody talking about this great land of ours, a country of freedom and liberty, but I am afraid that many of the people who do that talking do not mean liberty and freedom but mean license to do whatever they desire.

In order for a democracy such as ours to succeed, one thing you must always remember, and that is that with every right there goes a responsibility and a duty. Labor, during the last ten years, has made great advances and great gains, it has secured rights which it did not have before, and the more rights it secures, just as with individuals, it must also have greater responsibilities and greater duties. I can not see a thing wrong with this bill, Mr. President, as it is now amended. I think the amendments which were offered and passed today make this bill one to which no one should object.

Another thing, Mr. President, I want to say, for the last three or four months, up until the last couple of days, I came in contact with no one in the labor movement—and that goes for the C. I. O. and the A. F. of L., the Brotherhoods, and that goes for labor officials as well as members of labor unions—who did not say to me but what they thought that a bill of this kind would be a fine thing for labor. Of course, when I say labor and when they said labor, they did not mean labor fakers, they did not mean certain leaders who are in the labor movement only for their ill-gotten gains or for their own benefit, but they meant as labor the honest American workingmen in this country.

According to the last Gallup poll that I saw on this question, of those people who have been interviewed and and who voted on the question as to whether or not labor unions should be made to register, and whether or not labor unions should be made to file financial reports, eighty per cent of the voters indicated that they were in favor of that, so that labor would properly assume its responsibilities and its duties.

Now, of course, there is tremendous pressure coming upon us to vote against this bill and I say very frankly that I think most of that pressure is due to false Democratic propaganda being worked upon labor unions. Many of those who are opposed to this bill are honest and they want to do the best they can for labor, but I honestly feel that they have been sold a bill of goods, and that is the reason they are opposing this bill, and I make the request of any of those who are present and any others might hear or read of this request, that before they continue their opposition to Senate Bill No. 46, that they study the bill as it is now amended—and I feel certain they will agree with us that it is something which will bring about a good condition, and for the benefit of labor.

Mr. DENT. Mr. President, I am not going to endeavor to answer the Senator from Allegheny, Mr. Geltz, at this time, but I will, at the proper time, upon the floor of this Senate, give an answer to the questions he has propounded about the honesty of the men in the labor movement.

I do, however, want to insert in the record at this time telegrams that I received from men in his district, whom I believe to be honest men, working for the interest of labor, and which read as follows:

"April 20, 1943.

"Senator John Dent,
Hotel Harrisburger, Harrisburg, Penna.

"Sir: We the members of Local 625 UERMW of A are opposed to the Woodward Bill (46). We expect you to get on the floor and tell them so respectfully.

JOHN ARMEL, President.

"April 21, 1943.

"Hon. John Dent, Senate,
Harrisburg, Penna.

"The employees in Department "C" Westinghouse Air Brake Company urge you to take a firm position against Senate Bill 46.

Department C Employees,
Westinghouse Airbrake."

"April 21, 1943.

"Hon. John Dent,
State Senate, Harrisburg, Penna.

"We urge you to take firm position to defeat Senate Bill 46. This bill would lead to more confusion and hinder the war effort.

EMIL GEORGE LUKE BYERLY,
J. MILNE,
HERBERT LESTER,
WILLIAM MALLIGAN.

"April 21, 1943.

"Senator John H. Dent,
Capitol Bldg., Harrisburg, Penna.

"Understand Woodward Bill No. 46 will come up for vote tomorrow. Our organization expresses strong opposition to this bill. We feel it a direct slap at organized labor which has been in existence here sixty years and against its members and officials.

RAY ALTEMEYER, President,
Optical Workers Union, No. 18820."

"April 21, 1943.

"Senator John H. Dent,
Capitol Building, Harrisburg, Penna.

"Understand Bill 46 introduced by Mr. Woodward will come up for final vote tomorrow. We wish to express strong opposition to said bill as we feel it is a direct insult to the organized labor movement which has existed in this state for the past fifty-five years.

H. G. FLAUGH, Organizer,
American Federation of Labor."

"April 21, 1943.

"Senator John Dent,
Harrisburg, Penna.

"Membership of Local 2, AWA, requests you to oppose Senate Bill 46.

ALLEN HILL, Chairman,
AWA Legislative Committee."

"April 20, 1943.

"Honorable John H. Dent,
Senate Office Bldg., Harrisburg, Pennsylvania.

"On behalf 45,000 war production soldiers western Pennsylvania, including thousands in your district, we wish to urge you to vote against and oppose vigorously Woodward Bill S46 as amended or any variations of principle contained in this bill. Such legislation is unnecessary and would serve no good purpose. Passage of this legislation would have effect of disrupting unity of all forces in this Commonwealth to win the war and seriously lower the confidence and morale for victory of production for soldiers. It is illogical to ask workers to contribute maximum production to defeat Nazism and ape methods of Nazism at home. This measure and all similar measures should be killed and forgotten in this vital war session of this assembly and attention of legislature should be given to constructive win-the-war measures.

"MICHAEL FITZPATRICK, President,
HAROLD K. BRINEY, Secretary- Treasurer United Electrical Radio and Machine Workers of America,
549 Wabash Bldg., Pittsburgh Penna."

"April 20, 1943.

"Hon. John Dent,
State Senate, Harrisburg, Penna.

"8,000 members of Local 610 United Electrical Radio and Machine Workers of America who work at the Westinghouse Airbrake and Switch and Signal Plants urge you to vote against Woodward Bill, Senate Bill 46, we are sure our delegation that met with you while in Harrisburg impressed you that we are a responsible organization and such a bill would only create disruption and confusion and hinder war effort.

LLOYD A. COLE, Pres., Local 610 UERMWA,
516 Station St., Wilmerding, Pa."

PERMISSION TO ADDRESS SENATE

Mr. MUNDY. It is not my desire, Mr. President, to occupy the floor twice in succession nor is it my desire to prolong this debate, but I ask permission of the Chair to interrogate the Senator from Allegheny, Mr. Geltz.

The PRESIDENT PRO TEMPORE. Of course, this is irregular, but will the Senator from Allegheny permit himself to be interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. MUNDY. Mr. President, does the Senator from Allegheny know of any labor organization in Pennsylvania which does not now furnish to its members a financial statement annually?

Mr. GELTZ. I can not say off-hand that I do, Mr. President, and that is the reason I wonder why so much fuss is being made about it. If they do, then why should they object?

Mr. MUNDY. Mr. President, I did not know that they were here on the floor objecting to this. As far as I am concerned, I am objecting as an individual and as an American citizen I probably have more reason to oppose this type of bill than does the Senator from Allegheny, Mr. Geltz, because I am associated with a large independent mining organization, engaged in business, and I will say here that I, as a part of that organization, would much rather do business with a properly constituted organized union than I would with a group of individuals who are unorganized.

May I further interrogate the gentleman from Allegheny, Senator Geltz?

The PRESIDENT PRO TEMPORE. Will the gentleman from Allegheny permit himself to be further interrogated?

Mr. GELTZ. I will, Mr. President.

Mr. MUNDY. Mr. President, does the gentleman from Allegheny, Senator Geltz, know any labor leader in Pennsylvania of any prominence whom he might consider dishonest?

Mr. GELTZ. I think I do, Mr. President.

Mr. MUNDY. In deference to the gentleman from Allegheny I will not press him for an answer in names, but approximately how many labor leaders in Pennsylvania would the gentleman from Allegheny consider dishonest?

Mr. GELTZ. Mr. President, I think that is going a little bit too far. I can say, however, that I think I am certain that I know more than one.

Mr. MUNDY. Is it fair, Mr. President, to ask the gentleman from Allegheny the proportion of dishonest labor leaders in comparison to the number of leaders in the labor movement? What would be his percentage.

Mr. GELTZ. That is fair, Mr. President.

PARLIAMENTARY INQUIRY

Mr. THOMAS B. WILSON. Mr. President, I rise on a parliamentary inquiry.

The PRESIDENT PRO TEMPORE. The gentleman from McKean will proceed.

Mr. THOMAS B. WILSON. Mr. President, what is before the Senate now?

Mr. GELTZ. Mr. President, I would like permission to answer the last question propounded by the gentleman from Luzerne, Doctor Mundy.

The PRESIDENT PRO TEMPORE. Is there objection?

The Chair directs the attention of the Senate to the fact that Senate Bill 46 is still on second reading and, therefore, there will be ample apportunity for debate on this question.

Mr. GELTZ. Mr. President, may I answer the question of the gentleman from Luzerne, Doctor Mundy? I am willing to take my seat, if there is objection?

The PRESIDENT PRO TEMPORE. The gentleman from Allegheny may proceed.

Mr. GELTZ. Mr. President, I think the percentage is exceptionally small. I think a great percentage and a great number of labor leaders, not only in this state, but all over the country, are honest, conscientious and sincere in what they are doing, but that is all the more reason, Mr. President, in order that their work be done properly and for the benefit of the common man, that some protection be given. In so far as the Federal Government is concerned, there has been passed law after law which has in effect driven American working men into labor unions, whether they wanted to join or not, and so, Mr. President, as a result of that, if we do not do as public officials what we can do to protect those individuals who have been driven into such positions, because of the passage of laws, then we are derelict in our duty, and irrespective of whether it makes us or breaks us, we are not fulfilling the obligations and duties of our office unless we do so.

Mr. MUNDY. Mr. President, I will conclude by saying that in all my years of association in and out of labor, that I always find that somebody who wants to attack the labor movemnt is so careful and so meticulous to avoid attacking the laboring man himself, because he is an individual and has a vote, but they insiduously attack their leadership, and this is the first time in my memory that anybody on the floor of a legislative hall insisted, after making a statement that dishonesty was vastly in the minority, that we should pass legislation to protect us from that infinitesimal minority.

PERMISSION TO ADDRESS SENATE

Mr. MALLERY asked and obtained unanimous consent to address the Senate.

Mr. MALLERY. Mr. President, I feel that by reason of the fact that I suggested the first two amendments to this bill, the one removing section two in its entirety, which would require the making of a register of all the members of a union and making it available for inspection, and in view of the fact that the members on this side of the Senate adopted that amendment, as well as a second amendment, striking out on line 26, page 2, the words "in detail," for those reasons I voted as I have on this measure. I did not think it would be sincere on my part to offer amendments to a bill and then not support the amendments.

PERMISSION TO ADDRESS SENATE

Mr. CARR asked and obtained unanimous consent to address the Senate.

Mr. CARR. Mr. President, I desire to explain my position with regard to this bill. The bill in its original form was not at all satisfactory to me because it contained a provision whereby national labor organizations were brought under control of a department of this state, and it also contained a provision whereby the head of that department could by his arbitrary will, if he saw fit, absolutely prevent those labor unions from transacting business in the state of Pennsylvania.

I fought very strenuously for the elimination of some of those provisions which were in the bill at that time and felt that I had done a very good job when I succeeded, with some other members on this side, in eliminating those provisions from the bill.

Let me state here that I believe this bill as it is constituted at the present time is a just and honest piece of legislation for the benefit of certain members of labor unions, of which I happen to be one.

There has been a great deal said here about the rights of the minority, but whether it is the minority or whether it is the majority membership in a labor union, they are practically compelled at the present time to join a union in order to gain their daily bread, and then by means of a check-off to maintain that membership—which I personally am not required to do—thereby contributing to the funds of the union organization.

I say that when those funds are taken, whether by the vote of the majority of that union or by the will of the officers of the union, and used for the purpose of defeating the intention of the members of the union, by donating it to some one or other of the political parties and thereby offsetting what might be the desire of a man to vote either one way or the other, you are taking away from that man the right to control that which he has earned by the sweat of his brow and, therefore, it does not seem to me unjust at all that this prohibition should be put into effect whereby nobody has a right to compel a man to contribute to a political party in which he is not interested or to which he is opposed.

I think that will explain the reason why, at the present time, I am voting for the bill as it has been amended.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 145, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 291, on second reading, entitled:

An Act to further amend section forty-nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabliities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by changing the provisions of subsection (b) thereof which authorize executors or administrators to make distribution and pay or deliver legacies without the audit of their accounts

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 400, entitled:

An Act to ratify, confirm, and validate, as debts of the municipality, bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 516, PRINTER'S No. 285, CALLED UP

Mr. COX. Mr. President, before we continue with the second reading bills, I would like to call up Senate Bill No. 516, Printer's No. 285, on page 3 of the Calendar, for the purpose of amendments. This is Senator Crowe's bill, the bill dealing with bowling.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 516, entitled:

An Act authorizing during the continuance of the present war and for a period thereafter the employment except during school hours or after the hour of twelve (12) midnight of certain minors as pin boys in bowling alleys; and suspending existing laws which prohibit such employment

The first section was read.
On the question,
Will the Senate agree to the section?
Mr. COX offered the following amendment:

Amend Bill, Section 1, page 2, line 3 by striking out the words "twelve (12) midnight" and inserting in lieu thereof: "eleven o'clock post meridian."

It was agreed to.
The section was agreed to as amended.
The second and third sections were read and agreed to.
And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.
The title was read.
On the question,
Will the Senate agree to the title?
Mr. COX offered the following amendment:

Amend title of Bill lines 3 and 4 by striking out the words "twelve (12) midnight" and inserting in lieu thereof the words: "eleven o'clock post meridian."

It was agreed to.
The title was agreed to as amended.
And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 440, entitled:

An Act creating a Commission for the Port of Chester; providing for the appointment of the members of said commission; defining its powers and duties; and making an appropriation to defray its expenses

The first section was read.
On the question,
Will the Senate agree to the section?
Mr. HEYBURN offered the following amendments:

Amend Bill, section 1, page 1, line 3 by striking out the word "five" and inserting in lieu thereof the word: "seven"; amend Bill, section 1, page 1, line 3 by striking out the word "two" and inserting in lieu thereof the word: "one"; amend Bill, section 1, page 1, line 4 by inserting after the word "Chester" and before the word "and" the following: "one by the Court of Common Pleas of Delaware County; one by the President Pro Tempore of the Senate; one by the Speaker of the House of Representatives."

They were agreed to.
The section was agreed to as amended.
The second, third, fourth, fifth and sixth sections were separately read and agreed to.
The seventh section was read.
On the question,
Will the Senate agree to the section?
Mr. HEYBURN offered the following amendment:

Amend Bill, section 7, page 3, line 8 by striking out the words and numerals "Fifteen Thousand Dollars ($15,000)" and inserting in lieu thereof: "Ten Thousand Dollars ($10,000)."

It was agreed to.
The section was agreed to as amended.
The title was read and agreed to.
And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 465, entitled:

An Act authorizing the Department of Welfare to enter into contracts for foodstuffs to supply State and State-aided institutions, and to purchase the same in open market, and to process the same for preservation; providing for transfers from appropriations made to such institutions in payment therefor; authorizing dehydrating plants and equipment at State institutions, and the use of inmate labor thereat; conferring power and imposing duties on the Department of Property and Supplies; and making an appropriation

The first section was read.
On the question,
Will the Senate agree to the section?
Mr. LETZLER offered the following amendment:

Amend Sec. 1, page 2, line 3, by inserting after the word "agreements" the following: "may be entered into during the duration of the war and six months thereafter, and."

It was agreed to.
The section was agreed to as amended.
The second, third, fourth, fifth and sixth sections and title were separately read and agreed to.
And said bill having been read at length the second time and agreed to as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order.
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 470, entitled:

An Act authorizing and creating an Anthracite Mine Subsidence Commission within the Department of Mines of the Commonwealth of Pennsylvania; defining its jurisdiction and powers, its duties to undertake studies and prepare such plan or plans as shall be deemed necessary to conserve anthracite; to prevent the loss of life both on the surface and underground; to prevent the destruction of property, both underground and on the surface, as a result of subsidences due to the removal of coal; providing for the common good of the people in the Anthracite Region and the Anthracite Industry; authorizing the commission to enter anthracite mines and the surface above such mines, and to designate locations for bore holes for flushing mines; providing for employes of said commission and their salaries; imposing duties upon the commission and making an appropriation

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 473, on second reading, entitled:

An Act to further amend sections four five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by limiting the power of an Authority to acquire the title to projects subjects to the jurisdiction of the Pennsylvania Public Utility Commission authorizing an appeal to the court of common pleas from such action on the part of the Authority; and providing that Authority bonds shall be sold only at public sale after public notice by advertisement

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection?

Mr. SHAPIRO. Mr. President, I would like to object for the moment for the purpose of calling to the attention of the Senate to something in this bill that should be corrected. I do not want to be understood as opposing the principle of this bill but I understand that this bill provides for advertising for thirty days—every day for thirty days—and then gives the right to a person to object within thirty days after the first advertisement. I call attention to the members of the Senate to that section of the bill, I think it is on page 7, and if this bill goes over in order for the purpose of amendment that provision ought to be amended.

Mr. DENT. Mr. President, for the information of the gentleman from Philadelphia, I would like to tell him that is why it has been requested that this bill go over in order. We have an amendment prepared to clarify to that particular section.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 501, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act," approved the sixteenth day of May, one thousand nine hundred thirty-five (P. L. 203; and prescribing a limitation period within which such petitions must have been filed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 544, entitled:

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure permits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. RUTH offered the following amendment:

Amend Section 1, Sec. 4, page 8, line 2, by inserting after the word "department" the following: "the proceeds of this tax shall be used specifically to pay the increased public school employees' salary due to the higher cost of living."

On the question,

Will the Senate agree to the amendment?

Mr. RUTH. Mr. President, I move the adoption of the amendments.

Mr. BARR. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. RUTH. Mr. President and gentleman of the Senate, we have in committee House Bill No. 816, increasing salaries of teachers and we know that bill calls for an expenditure of approximately $27,000,000. I also happen to know that the order has gone out that that amount is to be reduced by $4,000,000, which would bring it down to a little over $23,000,000, which would reduce the proposed top of $600 and bring it back to $500.

I also know that regardless of in what amount we pass the bill, the Governor himself has the authority to cut down the appropriation when he signs the bill. If these funds from the cigarette tax were specifically earmarked for salaries of teachers, we know from the budget and from the returns that would bring in approximately $28,000,000 in the next two years, and therefore we could assure the school teachers of Pennsylvania that we were not trying to kid them when we told them that we would give them an increase in salary—not even up to the little steel formula of fifteen per cent, but it would be an increase—and I feel that as long as we have the power in our own hands we should be sure that we are going to keep the word that we promised to our school teachers, and if we earmark this particular tax, which will amount to approximately $28,000,000 in the next biennium, we can be sure that they are going to have at least an increase of $600 for the two years, that is, those in the lower brackets and there may be some school employes who are not just teachers but who deserve an increase just as much, and this would give us lee-way to do something for them.

I suppose we could talk all afternoon and we would not get any further than just getting our words on the record, but at least we will get that far, to put on the record that we are sincere in trying to give these teachers an increase in salaries.

Let us give them what we promised at least, instead of a sop, by specifically earmarking this tax.

Let us go back in history a little bit. In 1935, when the cigarette tax was first put on the books, I happened to be Chairman of the Committee on Ways and Means in the House of Representatives and it was my duty to help put that tax over and that was done because the state faced an emergency and that emergency was unemployment relief. That has passed and there is no occasion to have this emergency tax unless we are faced with an emergency, but we are facing a new emergency today, that is, that our school teachers, about 62,000 of them, are underpaid.

Some of the girls that went out of college last year and are teaching at the minimum salary do not have enough money to pay their board and buy clothing in many school districts, and I feel we should at least be sure, as long as it is in our hands, make sure they get it because, let me tell you this, whether you pass House Bill No. 816 under the reduced amount, as is suggested, or whether you pass it at the present amount, the Governor still has the right to cut it down when he signs that bill. Let us make sure of it.

Thank you.

Mr. GELTZ. Mr. President, I want to assure my colleague from Berks, Doctor Ruth, that ample provision has been made in the tax program and in the budget to take care of the school teachers, to see that the school teachers get a raise that is consistent with good government and good housekeeping in government.

The gentleman from Berks, Doctor Ruth, does not need to worry about pledges or promises not being taken care of. Everything will be done that can be done, consistent with safety to the Commonwealth's financial structure.

And the question recurring,

Will the Senate agree to the amendments?

Mr. RUTH. I ask for a roll call, Mr. President.

The yeas and nays were required by Mr. RUTH and were as follows, viz:

YEAS—17

Barr,
Carr.
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Haluska,
Holland.
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring,

NAYS—23

Becker,
Bowers,
Crider,
Crowe,
Geltz,
Heyburn,
James,
Jones.
Kephart,
Letzler.
Mallery,
Scarlett,
Snowden.
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy.
Pres. Pro. Tem.

So the question was determined in the negative.

The PRESIDENT PRO TEMPORE. The amendments are defeated.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. RUTH offered the following amendment:

Amend the title, page 1, last line of the title by inserting after the word "time" the following: "and specifically designating the proceeds of this tax for increased public school employees' salaries."

On the question,

Will the Senate agree to the amendment?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the title?

It was agreed to.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill on second reading?

Mr. COX. Mr. President, I desire to interrogate the gentleman from Delaware, Senator Heyburn.

The PRESIDENT PRO TEMPORE. Will the gentleman from Delaware permit himself to be interrogated?

Mr. HEYBURN. Yes, Mr. President.

Mr. COX. Will the Senator from Delaware tell the Democratic members of the Senate if the Majority Party has come to any determination as to exactly what is going to be done for the school teachers of this state.

Mr. HEYBURN. Unfortunately, Mr. President, a situation developed here last week that kept the Senate tied up all week, and I understand the Committee on Education did not get much work done. This week, of course, the Senators know that Senator Homsher's mother died, but every effort is going to be made to adequately take care of the school teachers of Pennsylvania.

Mr. COX. Mr. President, can the Senator from Delaware give me the details of any proposed changes in this bill, as to the amounts.

Mr. HEYBURN. Mr. President, I am very sorry but I am not a member of the Committee on Education.

The PRESIDENT PRO TEMPORE. Are the Senators talking about Senate Bill No. 544?

Mr. HEYBURN. Mr. President, we are talking about the cigarette tax and I assume some of the teachers smoke—maybe there is some connection.

Mr. COX. Mr. President, my reason for this interrogation is that I intend to follow it by a very brief statement, which I think has a direct relationship to the bill which we are considering, and in order for me to be properly informed, and so that I can say the things I want to, it is necessary for me to get from the Senator from Delaware any knowledge he might have as to what is going to be done for the school teachers of this state. The Senator from Delaware, of course, has answered me by saying that he does not know.

I want to say, Mr. President, that on March 2, the day after the Governor gave his Budget message to the Legislature I spoke to this body on this question of increased compensation for teachers. That was March 2 and now it is April 20 and still nothing has been done. I regret, of course, the delay this week, which was caused by a death, and naturally I and the other members on this side are perfectly willing to wait until Senator Homsher can come back and continue his studies of this important matter.

It is a matter of extreme urgency to the underpaid school teachers of Pennsylvania that, as soon as we possibly can, we tell them definitely what we are going to do for them financially.

On March 2, in my statement to the Senate, I said I personally would oppose the reduction of any taxes if the reduction of those taxes meant that the Commonwealth of Pennsylvania could not adequately compensate its teachers, and now I am faced with the dilemma that on our Calendar today and for the succeeding days will be tax bills; I do not know what your suggestions are as to methods of aiding the teachers, and it would seem to me perhaps the smart thing for us to do would be to bring out the bill relative to teachers, and then when we have a definite plan we can vote intelligently on these tax measures.

And the question recurring,

Will the Senate agree to the bill on second reading?

It was agreed to.

Ordered, That the bill be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 545, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. DENT offered the following amendments:

Amend bill, page 3, by inserting after line 29, a new section to read as follows:

Section 2. Section ten of said act, as last amended by the act approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 634) is hereby further amended to read as follows:

Section 10. Disposition and Use of Tax. (a) One-half cent per gallon of the permanent tax collected under the provisions of this act shall be paid into the Liquid Fuels Tax Fund of the State Treasury; and such moneys, paid into said fund, are hereby specifically appropriated for the purposes hereinafter set forth.

The moneys so paid into the Liquid Fuels Tax Fund, except those that are refunded as hereinafter provided, shall be paid to the respective counties of this Commonwealth, on the first day of June and December of each year, in the ratio that the average return made during the three (3) preceding years to each county bears to the average amount returned to all counties for the three preceding years: Provided, That the distribution of tax to the counties from the Liquid Fuels Tax Fund that is payable the first day of August, one thousand nine hundred and thirty-one, shall be made under the provisions of the acts of Assembly repealed by this act.

All moneys received by the counties hereunder shall be used only for the purpose of construction, reconstruction, maintenance, and repair of roads, highways, and bridges, including the payment of property damage, now due or hereafter to become due, occasioned by or the relocation or construction of highways and bridges, and for the payment of interest and sinking fund charges on bonds issued or used for highways and bridge purposes, or on so much of any bonds as have been used for such purposes, and all such payments heretofore made are hereby validated. The county commissioners of each county shall make to the department, on or before the first day of May and November of each year, on forms prescribed, prepared, and furnished by the department, a report showing the receipts and expenditures of such moneys received, during the preceding six months, by the county from the Commonwealth under the provisions of this section. Such reports shall be transmitted to the Department of the Auditor General for audit. Upon the failure of the county commissioners to file any such report, the department shall withhold further payments to the county out of the Liquid Fuels Tax Fund until the delinquent report is filed.

(b) The remaining two and one-half cents per gallon of the permanent tax collected under the provisions of this act, all penalties and interests, and all interest earned on deposits of the Liquid Fuels Tax Fund, shall be paid into the Motor License Fund, and are hereby specifically appropriated for the same purposes for which moneys in the Motor License Fund are appropriated by law.

(c) The entire amount of the additional emergency tax of one cent per gallon, or fractional part thereof, collected, under the provisions of this act, [before June first, one thousand nine hundred thirty-six], shall be paid into the State Treasury by and through the department, and shall be used only for [unemployment relief, purposes, and for such purposes is hereby appropriated, and all such tax paid into the State Treasury on and after June first, one thousand nine hundred thirty-six shall be credited to the General Fund.] postwar road building and other highway purposes, and for such purposes is hereby appropriated to the Department of Highways.

On the question,

Will the Senate agree to the amendments?

Mr. DENT. Mr. President, I will sum up in just about two or three minutes exactly what my amendments propose to do. I hardly think there will be any opposing votes on these amendments, at least if the Senators live up to the vote they took on the Tallman Act.

Ever since I have been a member of the Senate and of the House, I have heard the plea made that highway funds, all moneys received from highway taxes, should be used for highway purposes only.

Since by the repeal of certain acts which will follow after this bill has been acted upon, you have stated there was no longer any emergency need for the funds from the proceeds of this particular bill and, therefore, I take it that from that you are willing or that you are re-enacting this act of the legislature so as to take that money and set it aside and earmark it for highway purposes only, and further guarantee that that money will be used for such purposes, I have in my amendments included that the money would be appropriated to the Highway Department for postwar developments and postwar planning and for postwar construction and, so therefore, I say to the majority members, if you are sincere in the Tallman Act that you voted for unanimously, if you are sincere in wanting to keep the highway fund for highway purposes only, then this bill should be passed as amended. I ask you to vote for the amendments.

And the question recurring,

Will the Senate agree to the amendments?

Mr. DENT. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. Dent and were as follows, viz:

YEAS—17

Barr,
Bowers,
Coleman,
Cox,
Dent.
DiSilvestro,
Gourley,
Haluska,
Holland.
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel.
Woodring,

NAYS—25

Becker,
Carr,
Chapman,
Crider,
Crowe,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler.
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy,
Pres. Pro. Tem.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. DENT offered the following amendment:

Amend sec. 2, page 4, line 1, by striking out the figure "2" and inserting in lieu thereof the figure "3".

On the question,

Will the Senate agree to the amendment?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. DENT offered the following amendments:

Amend title, page 1, 1st line of title, by striking out the words "section four" and inserting in lieu thereof the words: "sections four and ten"; Amend title, page 2, last line of title, by inserting after the word "time" the following: "and allocating and appropriating the proceeds of such tax."

On the question,

Will the Senate agree to the amendments?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the title?

It was agreed to.

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 546, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time by reducing the rate of tax eliminating the deduction for Federal taxes further defining net income authorizing the Department of Revenue to grant an additional extension of time for filing reports changing the method of reporting in certain cases reducing the interest penalty on unpaid taxes and making certain of the changes effected by this reenacting and amending act retroactive to a certain extent

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I am about to offer amendments to House Bill No. 546, Printer's No. 471, the effect of which is to put the computation of the tax back in the original form. In explanation I should like to say, Mr. President, that the proposed amendment to the method of computation of the net corporate income tax simply means that you are going to take from the Federal Government an amount of money that is supposed to be saved for the benefit of the state, which seems to me false economy, because somehow or other the Government is going to be bound to get that money, somehow, and the public is going to pay it. With what? It will not come out of thin air. Whatever reduction we make on the income to the Federal Government reduces further the amount available to the Federal Government for the prosecution of the war, and in the absence of the gentleman from Cumberland, Senator Wade—because he is the gentleman who waves the flag around here—oh, there he is, I did not see him—I would like him to get up and tell us about the patriotic duty we have not to take any money from the Federal Government when it is making every effort to collect this money for the prosecution of the war.

The net effect of this bill will be to increase the state income by at least $20,000,000, and it does not take a magician to see that the Federal income will be reduced by the same amount.

Where will the money come from except from the pockets of the people. In my opinion that is false economy and certainly not helping the war effort. The purpose of these amendments I am about to offer, therefore, with respect to computation of the tax, is to put this act back into its original form.

Mr. GELTZ. Mr. President, in answer to the statement of the Senator from Philadelphia, Mr. Shapiro, first let me say that this money that he says supposedly will be taken from the Federal Government is not the real truth of the situation—it is true that some of it will—but as near as can be ascertained, about ten per cent of the corporations of this state, those that are in the excess profits tax brackets, will pay greater taxes by this method of computation then they paid under the old system, the system which Senator Shapiro apparently wants to continue.

However, Mr. President, when my colleague from Philadelphia, Senator Shapiro, raises the question about patriotism and about taking money from the Federal Government that is so necessary for the successful prosecution of the war, I can not help but remember and recall, Mr. President, one of the first reports of the Truman Committee, which I read and that, by the way, Mr. President, was not a committee from our so-called side of the House. The Truman Committee investigated the cost of the construction of numerous army camps and one of the first camps they got into they found had been started at an estimated cost of construction of $11,000,000, and during the process of construction the camp had been increased in size twenty per cent, which I think, with rather rapid calculation, would mean that the estimated cost would be about $13,500,000. At the time of the investigation the camp was not completed but the cost had already exceeded $25,000,000.

It might be a good thing, Mr. President, under those circumstances, for some of those individuals who apparently are pouring millions of dollars down the sewers, to realize that there is not an unlimited tap or flow or source of money in this country, and I certainly do not think that this state should be penalized and lose money that rightfully belongs to the state, if there is such waste and extravagance as is indicated by that report.

In addition, Mr. President, I understand that there are either seventeen or eighteen states that have the method of computation which Pennsylvania is now going to adopt. I do not know why Pennsylvania should be singled out as one state that should make all of the sacrifices. It seems to me if it is patriotic for Pennsylvania, it is patriotic for the other states.

For that reason, Mr. President, I think this new method of computation is fair and decent and it should be adopted by the Commonwealth.

Mr. SHAPIRO. Mr. President, the gentleman from Allegheny made a statement about a camp intended to be built for $11,000,000 and which cost $25,000,000—and therefore he thinks we ought to take $20,000,000 more from the Federal Government, which is a ridiculous argument.

All I know about the camps is that they are all being built under control of gentlemen taken from big industry, which usually is Republican. Mr. Nelson is head of the War Production Board, and if there was waste and extravagance all we can do or say is that Mr. Nelson is doing the best he can. That is the point today.

What is the use of talking about waste and extravagance when we are spending billions of dollars? That $14,000,000 in that picture may be a sum that can be explained by the very fact that you are dealing with such emergencies, such commodities and such contractors, in such a short period of time.

That does not answer the question, as he says, this tax question, and what I am about to say, irrespective of whether you are Republican or Democrat—and I do not raise that issue—you must agree that if you take $20,000,000 away from the Federal Government, whether seventeen other states are doing it or not, there is going to be an added burden on the people to make up that $20,000,000. No corporation in Pennsylvania is benefited by it, except a few, and those very little. A corporation that I know of, one of the larger companies, which makes a gross profit annually of $18,000,000, will save about $15,000 on this tax and another corporation that makes a little bit less will lose about $15,000 but in each instance the Federal Government will lose about $350,000. These are not figures taken out of my head, but figures with which you gentleman are familiar.

No corporation, outside of the very small corporations—and I mean by small corporations, corporations that are earning small profits—none except those will make a real saving and very few of those who make a large profit will suffer any, because the Commonwealth of Pennsylvania will get $20,000,000. Why? Because it is deducted from the surplus tax, the excess profits tax, from that bracket, and it is taking away from the Federal Government $20,000,000.

Simple economy teaches us that if you need $40,000,000—you have $100,000,000 and you need $40,000,000—if you take away from the $100,000,000, $20,000,000, you will need $60,000,000, and it must come from somewhere, and it must come from the very people to whom you are now saying you are going to give a saving of three per cent on taxes. That is all I am saying here, I am saying that is false economy.

I want to add a further word, which is that it is not necessary for the purposes of our budget because, I have said before and I repeat, and the time will come very shortly when I will be able to prove again, as I did in 1941, that the income from net corporate taxes is under-estimated this year, that the budget showing the amount of anticipated revenue until May 31 of this year is under-estimated and that the budget estimates for the 1943-1945 taxes are under-estimated. Remember, in these two years we were supposed only to collect $61,000,000 from the net corporate income tax, according to Governor James—at a time when the information which I had and read to this Senate proved that we would take in at least $90,000,000. The present figure in the budget, for the period ending May 31, 1943, is $88,000,000. I suggest now that it will be more than $90,000,000, and I suggest to you members of the Senate that we have already collected more money this year, making up the 1943 biennium, more money than is set up in the budget as the estimated receipts, and if the net corporate income tax realizes, as I think it will, close to $50,000,000 for this year, then we will have a surplus, an actual surplus, at May 31, 1943, of more than $30,000,000.

That will take care of your school teachers, and other items of expense not provided for in the budget, so that $20,000,000, taken from the Federal Government and coming into our treasury, will make our surplus in the 1943-1945 biennium $20,000,000 more than I say it will be, because in that budget there was under-estimated the net corporate income tax.

That is why I say, gentleman, it is not necessary. Our position is, first, that it is not needed, and, secondly, if you do not need it, why do you take it from the government when you will only have to give it back?

Mr. WATKINS. Mr. President, I do not want to beg the question. I just want to state frankly, from my examination of the speeches of Senator Shapiro on budgetary matters, as I read from a speech of his not so long ago, that the answer to his discourse on figures is to discount them by fifty per cent.

Mr. MUNDY. Mr. President, in this atmosphere which we have present here in the Senate, outside of the question of national defense, and we all of us, desire to do every thing we can for national defense, I thought it would be interesting to have reduced to concrete figures, under this new method of computation of tax, how many tanks and how many guns and how many bombers we take away from the boys at the front by taking this money back here at home where it is needed less. I yield to the gentleman from Westmoreland, Senator Dent.

Mr. DENT. Mr. President, I can not answer the inquiry of the gentleman from Luzerne, Doctor Mundy, as to how many guns or how many tanks, but I would say it would represent about 220 medium type bombers, the type of bombers that bombed Tokio, and just about the size and number of bombers that are needed by General MacArthur at this time. I can further say that this is a most extraordinary procedure when we are so interested in money being put in war bonds, when the people are being asked to put all the money they can spare into war bonds, that the great Commonwealth of Pennsylvania can dig deep into the pockets of the Federal Government and take $20,000,000 of war loan money of the workers of Pennsylvania, so that they can relieve taxes of certain persons who are not at this time entitled to tax relief.

Mr. GELTZ. Mr. President, I wonder if my colleague from Westmoreland has figured out how many medium type bombers could have been purchased with the 130 per cent or 140 per cent increase in the cost of the army camp which I was talking about, which cost was increased by, $14,000,000?

Mr. President, I want to say in answer to Senator Shapiro, that there is some sense and purpose in having this new basis for computation. It seems to me that one does not need to be very good at figures to realize that with an increase in the percentage of federal taxes, if that increase continues as it has been, it will not be a matter of a very long time until there is nothing left upon which the state can secure any revenue, in so far as the corporate net income tax is concerned, because when the tax was forty or fifty per cent, if you had a fund of $100,000,000, you still had fifty or sixty per cent for the state to figure its corporate net income tax on, but when you have a matter of eighty per cent, you certainly get a substantial decrease in the amount on which you can figure your net corporate income tax for the state.

As I have said before, it seems strange to me that there is so much ado on the part of my colleagues to the left that Pennsylvania should be outstandingly patriotic, as in so far as sister states are concerned, there are seventeen or eighteen other states which have this method, and certainly Pennsylvania is entitled to it.

My colleague Senator Dent from Westmoreland, I know is sincerely concerned about postwar planning and making certain that conditions will be right for the boys who return to us, but I am just as sincerely and conscientiously interested, and for that reason, I hope that my colleague, the Senator from Philadelphia, Mr. Shapiro, is for the first time since I have been a member of the Senate more nearly right than he has ever been before in the estimates which he has given, in so far as revenue is concerned.

It is very easy, Mr. President, to make guesses and estimates out of thin air, and it is very hard to answer fables and fairy tales, and it is equally hard to answer estimates which are based on something drawn down from the sky and the stars. The Senator from Philadelphia has made a number of such estimates since I have been here, and it may be that he was nearly right on one of them, when he singled out a particular invididual estimate in so far as revenue is concerned, but it seems to me somewhere back in my recollection, Mr. President, that the Senator from Philadelphia, Mr. Shapiro, and his team mate, Mr. Achterman, who was Majority Floor Leader in the House, indicated that we were going to have somewhere in the neighborhood of $150,000,000 surplus. Well, Mr. President, it seems to me that that was very thin air.

But as I say, Mr. President, I hope for the first time since I have been here that he is right, because it will be very satisfactory and very comforting to have a nice surplus with which we can do the postwar planning in which so many of us are interested.

Mr. SHAPIRO. I want to say, Mr. President, I do not think it is fair to handle an important proposition in this way. I do not mean the fact that you may say that Senator Shapiro did not know what he was talking about —that does not hurt me personally—but the records does not sustain you and you are not dealing with the proposition in the proper way.

The reason I raised the question why Pennsylvania should be more generous, if that is what you call it, than any other state, is because this Governor said nothing else matters but the war and he wants to aid and co-operate, and I say that sincerely, that since he wants us all to help and co-operate, I say this is not the time to change the method of taxation, at the expense to the Federal Government—everybody admits that it will be at the expense of the Federal Government—and when I say this is not the time to change it, that is because of what your Governor said, and I agree that nothing else matters but the war. As to the fact that some corporations will be helped by this change and some will be hurt by it, you are not helping to win the war and you are not carrying out your promise.

It does not make an answer to say that when Shapiro gives figures you can cut them down fifty per cent, that they are taken out of thin air, because there is nothing in the records to show that my figures were taken out of the air.

I have not talked about estimates. I took your budget on one occasion here and I showed you that the income today exceeds the amount which you say you will get by May 31, which is not an estimate, those are facts, and I tell you today that the reports of the Auditor General show, his records show, that you have already taken in more than you have estimated, and I say to you that I pointed out in 1941 that the income would be $88,000,000 or $90,000,000 of net corporate income taxes. I did not estimate that out of my head; I gave facts and figures.

Now the gentleman says he pointed out once before in a speech from the record that Shapiro said "$115,000,000 will not be enough for relief for this biennium, and there ought to be more." Yes, I did say that, and at the same session the Governor asked us to pass another bill giving him the right to use $150,000,000 for relief, if it were necessary, because he too thought it might require $126,000,000, when I said it would require $132,000,000.

Then the war came along and everybody became employed and so we did not need $126,000,000 and we did not need $115,000,000, but with that budget Mr. Achterman and I did figure out that there would be a surplus of $88,000,000 to $90,000,000—not $150,000,000—and the facts prove that is so, because this Governor has cut taxes by $40,000,000. This Governor says he has a surplus of

11,000,000 from this biennium ending May 31, 1943; I ay he will have a surplus of over $40,000,000 and I say he records do show that—that is not a guess on my part, hat is not an estimate.

You do not get anywhere—it may sound nice to you nd you may think it is good copy to say that you should iscount by fifty per cent what Shapiro says, but I am aying to you, if you do discount it by fifty per cent, that you still have $20,000,000, so why are you worrying about he teachers if you have a surplus of $20,000,000?

I say to the answer you have given that denial has not been made that this money will be taken from the Federal Government—there is no question about that—and the only argument is whether or not you take it now or later, and that I answer by saying you promised to aid the Federal Government in the war effort and this is not the time to take money away from the Federal Government, when you promised to help the Federal Government.

That is the whole argument. You are going to say you will pass this bill and I am going to say that if you do you are not keeping your promise to aid in the war effort.

Mr. HOLLAND. Mr. President, the gentleman from Allegheny I think spoke on a subject which was quite foreign to him. He spoke about contracts that were negotiated by the Federal Government which ran in very excess figures.

The Congress of the United States, when I was a member, passed a bill that all these contracts would be renegotiated. I want to suggest to the gentleman from Allegheny that when he is next in Pittsburgh I will show him the Congressional Record, and if he wants to see the names and to what party those men belong who voted against re-negotiation of contracts to recover the money which the government was gypped out of, I will be glad to show him.

Mr. WADE. Mr. President, we heard a great deal about the amount of money supposed to be effected by this bill or the amount of revenue we are cutting down from the Federal Government, and we are making a mountain out of a mole hill, so to speak.

For the sake of comparison let us take these figures and assume that we are taking $20,000,000 of revenue away from the Federal Government. The President of the United States in January of this year recommended to Congress a budget of some one hundred and eight billions of dollars —since that time he has recommended an increase, but we will disregard the increase entirely—and if we take $20,000,000 away from the Federal Government to bring Pennsylvania in line with other states, we are taking one dollar for every $5,400 in the federal budget, or to phrase it in another way we are taking a little more than two-tenths of one mill out of each dollar, so that after all we are talking about something that has little effect on the federal revenue.

Mr. GELTZ. Mr. President, I just want to advise our colleague from Allegheny, Senator Holland, that I do understand there is such a thing that is called re-negotiation of contracts and I understand that is another one of those New Deal propositions which is in reality one hundred per cent income tax—they passed a revenue bill in which they say the maximum shall be ninety per cent but not greater than eighty per cent over all, and then they pass a re-negotiation contract act which provides that the Federal Government can step in and take one hundred per cent profit of income taxes.

And the question recurring,

Will the Senate agree to the section?

Mr. SHAPIRO offered the following amendments:

Amend Sec. 1 (Sec. 2), page 4, lines 18 and 19, by striking out the words: "except as hereinafter otherwise provided"; Amend Sec. 1. (Sec. 2), page 4, lines 20 and 21, by striking out the words: "income or excess profits"; Amend Sec. 1 (Sec. 2), page 4, line 29, by striking out the word: "income"; Amend Sec. 1 (Sec. 2), page 5, line 1, by striking out the words: "or excess profits"; Amend Sec. 1 (Sec. 2), page 5, lines 2 and 3, by striking out the words: "income or excess profits"; Amend Sec. 1 (Sec. 2), page 5, lines 9 to 14, by striking out the words: "and provided further That on reports filed for" in line 9, all of lines 10 to 13 and the words: "taxes whatsoever in line 14; Amend Sec. 1 (Sec. 3), page 11, line 19; by striking out the word "four" and inserting in lieu thereof: "seven"; Amend Sec. 1 (Sec. 3), page 11, line 27, by striking out the word "four" and inserting in lieu thereof: "seven".

On the question,

Will the Senate agree to the amendments?

Mr. HOLLAND. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. HOLLAND and were as follows, viz:

YEAS—15

Barr,
Coleman,
Cox,
Dent,
DiSilvestro,
Gourley,
Holland,
Jaspan,
McGinnis,
McQuiddy,
Mundy,
Ruth,
Shapiro,
Stiefel,
Woodring,

NAYS—26

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Mallery,
Scarlett,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy,
Pres. Pro. Tem.

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. SHAPIRO offered the following amendments:

Amend Title, page 1, lines 15 and 16 of title, by striking out the words: "by reducing the" in line 15, and all of line 16; Amend Title, page 2, line 1 of title, by striking out the word: "taxes".

On the question,

Will the Senate agree to the amendments?

(A voice vote having been taken the question was determined in the negative.)

And the question recurring,

Will the Senate agree to the title?

It was agreed to.

And said bill having been read at length the second time, and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 547, entitled:

An Act making an appropriation for the expenses of the Committee of the Senate created by Senate Resolution Number three (Serial No. 66) adopted the twelfth day of July, one thousand nine hundred forty-one, to investigate rioting in Donaldson, Schuylkill County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 547, entitled:

An Act to further amend the act approved the first day of June one thousand eight hundred eighty-nine (P. L. 420) entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" by increasing for a further limited period of time the rate of tax imposed by the act upon the gross receipts of certain companies limited partnerships associations joint-stock associations copartnerships and persons and by further defining the gross receipts tax liability of companies limited partnerships associations joint-stock associations copartnerships and persons engaged in the sale of electric energy.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. GELTZ offered the following amendments?

Amend Sec. 1 (Sec. 23), page 5, lines 22 and 23, by striking out both of said lines; Amend Sec. 1 (Sec. 23), page 5, line 25, by inserting after the word "receipts" the following: "as herein provided derived from the operation thereof no other corporation company copartnership association joint-."

They were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 548, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 576, entitled:

An Act to add clause fifty-five to section two thousand four hundred three of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the sale of unused and unnecessary land and building.

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. WOODRING offered the following amendments with the agreement of the co-sponsor, Senator Mallery

Amend Sec. 1, page 1, line 6, by striking out the words "at the end" and inserting in lieu thereof the following: "between clauses fifty-three and fifty-four;" Amend Sec. 1 (Sec. 2403) page 2, line 5, by striking out the figures "55" and inserting in lieu thereof the figures: "53.1".

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. WOODRING offered the following amendments:

Amend title, page 1, 1st line of title, by striking out the words "fifty-five" and inserting in lieu thereof the words: "fifty-three and one tenth."

It was agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agree to as amended,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 587, entitled:

An Act authorizing the treasurer of any city or county of the first class, during the continuance of the hostilities incident to the present war, and for six months thereafter, to invest money in the treasury of such city or county not required for immediate use, in certain obligations of the United States Government, and to sell or have the same redeemed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 626, entitled:

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors where the Township has received in maintenance and improvement of its highways a reasonable quid pro quo for such contracts and to authorize ratify confirm and validate payments on such contracts by the Township and to provide that no Township Supervisor shall be subject to surcharge for payments heretofore made on any such contract.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1056, entitled:

An Act abolishing the entire Merchantile License Tax System repealing the various license taxes under said system except as to taxes already due abolishing certain offices and employments providing for the collection of delinquent taxes providing for the final settlement of accounts between the Commonwealth and county treasurers and making certain repeals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

EXECUTIVE NOMINATIONS

Mr. WATKINS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. WATKINS, from the Committee on Executive Nominations reported with a favorable recommendation the following nominations, made by His Excellency, the Governor of the Commonwealth, which were laid over for one day under the rules.

MEMBERS OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Susquehanna County Board of Assistance:

Mrs. Elizabeth Mack (Republican), Montrose, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Mrs. Winifred Meehan, whose term expired.

Mrs. Elizabeth Shinners (Democrat), Great Bend, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Frank J. Chapman, whose term expired.

EDWARD MARTIN.

Mr. STIEFEL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 497, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Navigation Commission of the Delaware River to secure accommodations ashore for use by said commission in the conduct of the nautical school now located at the Port of Philadelphia and making an appropriation.

FINAL REPORT, PENNSYLVANIA STATE TEMPORARY COMMISSION ON CONDITIONS OF THE URBAN COLORED POPULATION

Mr. KEPHART. Mr. President, at this time I ask permission to present to the Chair final report of the Pennsylvania State Temporary Commission on the conditions of the urban colored population to the General Assembly of the Commonwealth of Pennsylvania, dated January, 1943, and also ask permission to have copies of this report placed on the desks of the Senators.

The PRESIDENT PRO TEMPORE. If there is no objection, receipt of the report will be noted in the Legislative Journal. Copies will be distributed for the information of the Senators.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 222, entitled:

An Act to amend section one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" changing the pay of jurors.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 357, entitled:

An Act to amend the act, approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing for exonerations of sewer liens and the discharge of properties covered thereby.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 398, entitled:

An Act regulating the issuance of execution on judgments confessed on written instruments; and providing that when such judgments are entered in one county, defenses may be made to the same by petitions to open filed in any other county where execution thereon is issued or made.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 441, entitled;

An Act to amend article forty-three of the act, approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the organizations, associations or boards having charge of police, firemen's and other city employes' pension or retirement fund to enter into contracts with insurance companies whereby such companies undertake to pay any pension, retirement or other allowance which may become due under said article forty-three, to policemen, firemen and other employes; prescribing how the costs of securing and continuing such contracts may be met; providing for certain future adjustments in said contracts in case the Federal Social Security benefits are extended to policemen, firemen and other employes; providing for certain modifications of the rights of policemen, firemen, and other employes relating to pensions or retirement; and authorizing city councils to make certain appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 442, entitled:

An Act to amend Section 2 of, and to add Section 8.1 to, the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties, and fixing penalties," by reducing "regular interest" to be paid on contributors' accounts from three and one-half per centum to two per centum; authorizing the retirement boards in said counties to enter into contracts with certain insurance companies, whereby such companies will undertake to pay any retirement allowance which may become due under the aforesaid act to original or new members of the county retirement system; prescribing how the payments or premiums due to insurance companies under such contracts shall be met; providing for certain future adjustments in said contracts in case the Federal Social Security System in hereafter extended to include county employes; and providing for certain modifications of the rights of original and new members of county retirement systems in such counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 442, entitled:

An Act to further amend section two hundred seventy-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the salaries of certain county detectives in counties of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 471, entitled:

An Act limiting the time within which suits or actions, hereafter begun, shall be brought for damages to surface land and property resulting from the mining of coal and operations in connection therewith.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 494, entitled:

An Act to amend Article VI of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to throw certain articles upon the land of another and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 517, entitled:

An Act to further amend section ten of the act, approved the twenty-ninth day of May, one thousand eight hundred and eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies," providing that natural gas companies shall have the right of eminent domain for the storage of natural gas and manufactured fuel gas beneath the surface of any lands situate within the territory of production, pipe lines, or of supply of such corporation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 524, entitled:

An Act to amend sections four hundred twenty-six and four hundred twenty-seven of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment, establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 556, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen, and to make uniform the law with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 557, entitled:

An Act to further amend section one of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes," by excluding from the provisions thereof personal property held in trust under the terms of a stock bonus, pension, annuity, or profit-sharing or deferred compensation plan, as herein defined, maintained by an employer for the exclusive benefit of his employes or their beneficiaries

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 558, entitled:

An Act to amend paragraph (1), subsection (a), section three of the act approved the twenty-fifth day of June, one thousand nine hundred thirty-seven (P. L. 2063), entitled "An act providing for the payment into the State Treasury, without escheat, of certain moneys and property subject to escheat under existing law, namely unclaimed dividends and profits, certain debts, and interest on certain debts, proceeds of policies of insurance, stock and customers deposits held by certain limited partnerships and unincorporated associations, joint-stock associations, companies and corporations doing business under the laws of this Commonwealth; declaring the legislative intent with respect to such payments; requiring reports of such money and property by, and imposing other duties upon, such partnerships, associations, and corporations; conferring powers and imposing duties on certain State officers, boards, and departments; providing for jurisdiction of courts, and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue; providing for refunds of such moneys and property; and prescribing penalties," by providing for the report and escheat of certain declared dividends and profits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 567, entitled:

An Act to add subsection E to section two hundred two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," prohibiting domestic and foreign business corporations from doing business, entering into contracts or advertising under any but its corporate name; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 570, entitled:

An Act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eight classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities, and county institution district, purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the offices of assistant assessor and assistant triennial assessor in townships of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 573, entitled:

An Act to amend sections two and three of the act, approved the twenty-fourth day of July, one thousand nine hundred and forty-one (P. L. 490), entitled "An act relating to acknowledgments of written instruments, and to make uniform the law with relation thereto," by authorizing deputy recorders of deeds to take acknowledgments, and validating acknowledgments taken by them.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 574, entitled:

An Act abating unpaid tax penalties and interest on certain city and school taxes heretofore levied by cities of the first class and school districts of the first class against real estate owned by certain institutions of purely public charity and giving such taxing authorities the right to reject the provisions of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 595, entitled:

An Act to amend section twelve of the act approved the twenty-first day of June one thousand nine hundred thirty nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Asssesment Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," conferring jurisdiction on the county court of Allegheny county in cases of appeals from the board of property assessment, appeals and review.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 675, entitled:

An Act to further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" making the sale of land purchased at treasurer's sale discretionary and authorizing the sale of such property on court order free and clear of all liens charges and estates

And said bill having been read at length the first time Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 684, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing the certain officers of dissolved business corporations to execute and deliver deeds, conveyances, agreements, assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 49

Mr. GELTZ. Mr. President, I ask unanimous consent to make a report from Conference Committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. GELTZ presented report of the Committee of Conference on House Bill No. 49, entitled:

An Act to amend the title and sections one to twelve, both inclusive, of the act, approved the nineteenth day of March, one thousand nine hundred forty-one (P. L. 3), entitled "State Council of Defense Act," changing the name of the Pennsylvania Reserve Corps to Pennsylvania State Guard.

The PRESIDENT PRO TEMPORE. The report will be noted on tomorrow's Calendar.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Thursday, April 22, 1943, at 1:00 o'clock p. m. Eastern War Time.

Mr. THOMAS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:52 o'clock p. m. Eastern War Time until Thursday, April 22, 1943, at 1:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 21, 1943

The House met at 1 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Chaplain, Rev. Lester C. Updegrove, offered the following prayer:

O God our Father, who dost exhort all men to pray, and who dost grant what we ask in accordance with Thy will, help us to live better lives. Make us evermore conscious that what matters most is the doing of Thy will. May all the n[illegible] of the world become aware of this eternal truth. Then we know a new day will be dawning, war shall cease; men will love one another instead of hate each other; help their fellowmen instead of killing them. To this end give us grace and divine power to accomplish these Thy purposes for us and for all mankind. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, April 20, 1943.

The Clerk proceeded to read the Journal of Tuesday, April 20, 1943, when, on motion of Mr. CHERVENAK, unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 176.

An Act to amend the act approved the twenty-eighth day of July, one thousand nine hundred and forty-one (P. L. 541), entitled "An act authorizing county commissioners to sell seated and unseated lands purchased at tax sales upon which the period of redemption has expired, and validating certain sales heretofore made," extending the time within which sales may be made.

Referred to the Committee on Counties.

SENATE BILL No. 209.

An Act to further amend section eleven (b) of the act, approved the nineteenth day of March, one thousand nine hundred nine (P. L. 46), entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania; to provide for the establishment of a State Board of Osteopathic Examiners; to define the powers and duties of said Board of Osteopathic Examiners; to provide for the examining and licensing of osteopaths in this State; and to provide penalties for the violation of this act," by further regulating the requirements for license as an osteopathic surgeon.

Referred to the Committee on Professional Licensure.

SENATE BILL No. 305.

An Act to further amend the act approved the thirtieth day of May one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspector of registration and other appointee of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controller registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing certain provisions of said act relating to removal notices and eliminating electors' rights to file removal notices in certain cases.

Referred to the Committee on Elections.

SENATE BILL No. 377.

An Act abolishing the State Forests and Waters Fund in the State Treasury; providing for the payment of the moneys therein and all future moneys heretofore payable into such special fund into the General Fund; making the same available for all lawful expenditures; and making certain repeals.

Referred to the Committee on State Government.

SENATE BILL No. 443.

An Act to further amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001) entitled "An act providing for the regulation of aeronautics within this Commonwealth; conferring powers and imposing duties upon the Department of Revenue in respect thereto; providing for the licensing and registration of airman and aircraft; establishing the legal status of air navigation; providing for sovereignty in, and ownership of, space, providing for lawfulness of flight; regulating civil causes of action arising out of operation of aircraft; fixing the status of contracts, crimes, and torts in, by, or by means of operation of aircraft; imposing duties upon officers, burgesses, magistrates, aldermen, justices of the peace, the courts and clerks thereof; providing for denial or revocation of licenses; providing for certain penalties and their disposition; and repealing certain existing laws," by reducing the amount of the minimum fine which may be imposed for certain violations.

Referred to the Committee on Aeronautics.

SENATE BILL No. 498.

An Act creating a commission to make a study and investigation of strip mining directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation.

Referred to Committee on Mines and Mining.

SENATE BILL No. 518.

An Act to amend section one hundred and one of the act approved the twenty-eighth day of May one thousand nine hundred thirty-seven (P. L. 1019) entitled "An act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments reenactments and repeals of statutes" defining certain additional words and phrases when used in statutes.

Referred to the Committee on Judiciary General.

SENATE BILL No. 534.

An Act to amend section four hundred thirty-seven and to further amend section four hundred thirty-eight of the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," changing the amount of aid which the board of county commissioners may pay out of the county funds to the historical society of the county, and changing the qualifications of historical societies to receive county appropriations.

Referred to the Committee on Counties.

SENATE BILL No. 535.

An Act to further amend section one article eight of the act approved the second day of June one thousand eight hundred and ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" providing that only persons who are registered holders of certificates of qualification or service shall be employed as mine foremen and assistant mine foremen.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 539.

An Act to further amend section eight hundred one of the act, approved the twenty-eighth day of April, one thousand nine hundred thirty-seven (P. L. 417), entitled

"An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing; processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment for milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting, with limitations, the use of information obtained thereby; authoriziing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies: repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations," by requiring further hearings on proposed orders and eliminating the requirement of the Governor's approval for certain orders of the commission and any amendments or revisions thereof fixing or changing the price of milk.

Referred to the Committee on Dairy Industries.

FORMER CHIEF CLERK WELCOMED

The SPEAKER. Present in the House this afternoon is our former Chief Clerk, Thomas K. Callahan. We are pleased to have him back with us in good health.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 155.

An Act to further amend section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," exempting persons in the armed forces from the payment of a fee to the Commonwealth for resident fishing licenses.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 7, by inserting after the word "exempting" the words "for the duration of the present war".

Amend Section 1, page 2, line 25, by striking out at the beginning of said line the word "Any" and inserting: "For the duration of the present war any"; Also in line 28, by inserting after the word "Commonwealth" the following: 'The application for the issuance of a license in such case shall in addition to the other information required give the serial number of the branch of service to which the applicant is attached together with the applicant's rank company battalion regiment division and other military organization".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—200

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. O'Brien for Mr. KOLANKIEWICZ.

REPORTS FROM COMMITTEES

Mr. BRETHERICK, from the Committee on Appropriations, reported as committed, House Bill No. 5, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County, Pennsylvania.

Mr. BRETHERICK, from the Committee on Appropriations, reported as amended, House Bill No. 177, entitled:

An Act making an appropriation to the State Veterans' Commission for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war or their dependents.

Mr. MUIR, from the Committee on Appropriations, reported as amended, House Bill No. 327, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

Mr. WALTER E. ROSE, from the Committee on Appropriations, reported as committed, House Bill No. 445, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission for the preservation, restoration and rebuliding of certain structures at the Ephrata Cloisters.

Mr. WALTER E. ROSE, from the Committee on Appropriations, reported as committed, House Bill No. 446, entitled:

An Act making an appropriation to the Department of Property and Supplies to be used with the advice and cooperation of the Pennsylvania Historical Commission for securing plans and specifications for the complete restoration, rebuilding, construction, improvement and development of the Ephrata Cloisters, and for the expenses of necessary archeological investigations relative thereto.

Mr. LLOYD H. WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 526, entitled:

An Act making an appropriation to the Pennsylvania Department of Highways.

Mr. WALTER E. ROSE, from the Committee on Workmen's Compensation, reported as committed, House Bill No. 560, entitled:

An Act to further amend section four hundred two of the act approved the fifth day of December, one thousand nine hundred thirty-six, (P. L. 2897-1937), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," to correct an error in previous amendment in connection with provisions covering ineligibility for compensation.

Mr. DUFFY, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 714, entitled:

An Act to further amend section five hundred nine of the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "An act for the prevention and treatment of mental diseases, mental defect, epilepsy, and inebriety; regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics; governing the transfer, discharge, interstate rendition and deportation of mental patients; providing for the payment by individuals, counties, or the Commonwealth of the cost of the admission, care, and discharge of mental patients; and imposing penalties," by providing for the payment, in certain cases, of a portion of the sums collected by the Commonwealth from private sources to the political subdivisions which have contributed to the cost of care and maintenance of such patients.

Mr. WALTON, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 721, entitled:

An Act to amend Section 6 of the Act approved the third day of June one thousand nine hundred and fifteen (P. L. 954), entitled "An act to protect the public health and safety; by regulating the erection, alteration, repair, use, occupancy, maintenance, sanitation, and condemnation of dwellings, two-family dwellings, rooming-houses, and tenements; by regulating the use, maintenance, and sanitation of the ground surrounding the same, the adjoining buildings, and all vacant land, in cities of the first class; providing for their inspection, the abatement of nuisances, the vacating of uninhabitable houses, and the filing of liens; creating a Division of Housing and Sanitation; and providing penalties for violations of the provisions thereof, and repealing all laws inconsistent therewith" by providing for certain exceptions to the applicability of the provisions of that section.

Mr. HAUDENSHIELD, from the Committee on State Government, reported as committed, House Bill No. 745, entitled:

An Act to further amend clauses six and nine of section one of the act approved the twenty-seventh day of June, one thousand nine hundred twenty-three, (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining State employes and original members.

Mr. KENNETH H. WAGNER, from the Committee on State Government, reported as committed, House Bill No. 763, entitled:

An Act to amend section one of the act approved the tenth day of July, one thousand nine hundred forty-one, (P. L. 405), entitled "An act providing a method for supplying, perfecting and recording birth records of certain persons whose births have not heretofore been made a public record or whose record of birth is incomplete or incorrect; making such records competent legal evdience; prescribing fees. and imposing certain duties upon the orphans' court and the Bureau of Vital Statistics of the Department of Health; authorizing the orphans' court to appoint masters for the determination of certain questions; and requiring counties to pay the compensation of such masters," further regulating the proofs required.

Mr. WATKINS, from the Committee on State Government, reported as committed, House Bill No. 814, entitled:

An Act to further amend section two of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 600), entitled "An act providing that appointive officers and employes, employed by the Commonwealth of Pennsylvania in its civil service; or by any department, bureau, commission, or office thereof, or by any county, municipality, township, or school district, shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment, enrollment, or draft in the military or naval service of the United States or any branch or unit thereof, in time of war or contemplated war; prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy; directing that one half of the salaries or wages of such officers or employes as have dependent wives, children, or parents, and not exceeding two thousand dollars per annum, be paid during the term of their service in the Army or Navy to such dependents; authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes, respectively, and providing for the compensation of such substitutes," by changing the name Pennsylvania Motor Police Retirement System to Pennsylvania State Police Retirement System.

Mr. KENNETH H. WAGNER, from the Committee on State Government, reported as committed, House Bill No. 827, entitled:

An Act to amend section two thousand four hundred and four of the act, approved the ninth day of April, one thousand nine hundred twenty-eight (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to provide automobile liability insurance on vehicles owned by the United States of America and its instrumentalities, which are loaned to and operated by State employes and certain other persons.

Mr. JAMES, from the Committee on State Government, reported as committed, House Bill No. 913, entitled:

An Act relating to vital statistics and to make uniform the law with reference thereto.

Mr. McKINNEY, from the Committee on Appropriations, reported as committed, House Bill No. 923, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

Mr. CORDIER, from the Committee on State Government, reported as committed, House Bill No. 936, entitled:

An Act to further amend the first paragraph of section five hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection; and liens of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof; of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by requiring cash payment of certain refunds due from the Commonwealth, and making an appropriation to the Board of Finance and Revenue for such purposes.

Mr. TAHL, from the Committee on Appropriations, reported as committed, House Bill No. 946, entitled:

An Act making an appropriation to the Women's Medical College of Pennsylvania located at East Falls, Philadelphia, Pennsylvania.

Mr. O'BRIEN, from the Committee on Appropriations, reported as committed, House Bill No. 947, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art, Philadelphia.

Mr. BRETHERICK, from the Committee on Appropriations, reported as committed, House Bill No. 949, entitled:

An Act making an appropriation to the Department of Public Assistance and providing for certain allocations therefrom for the purposes of carrying out the Public Assistance Law for the two fiscal years beginning June first, one thousand nine hundred forty-three, and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first, one thousand nine hundred forty-three.

Mr. TAHL, from the Committee on Appropriations, reported as committed, House Bill No. 951, entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museum, Philadelphia.

Mr. STOCKHAM, from the Committee on Appropriations, reported as committed, House Bill No. 954, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Mr. MUIR, from the Committee on Appropriations, reported as committed, House Bill No. 956, entitled:

An Act making an appropriation to the Department of Commerce out of the Motor License Fund for the proper conduct of a specific portion of its work.

Mr. BRETHERICK, from the Committee on Appropriations, reported as committed, House Bill No. 957, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Mr. O'BRIEN, from the Committee on Appropriations, reported as committed, House Bill No. 960, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Mr. BRETHERICK, from the Committee on Appropriations, reported as committed, House Bill No. 964, entitled:

An Act making an appropriation to Sleighton Farm School for Girls situate in Delaware County, Pennsylvania.

Mr. FLEMING, from the Committee on Appropriations, reported as committed, House Bill No. 973, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School of Medicine.

Mr. TAHL, from the Committee on Appropriations, reported as committed, House Bill No. 976, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women of Philadelphia, Pennsylvania.

Mr. McKINNEY, from the Committee on State Government, reported as committed, House Bill No. 983, entitled:

An Act creating the Farm Labor Commission; defining its objects, powers and duties; providing for the appointment of a secretary and other officers and employes and the fixing of their salaries; imposing duties on the Governor; and making an appropriation.

Mr. GREENWOOD, from the Committee on Appropriations, reported as committed, House Bill No. 1029, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Agriculture for the purpose of conducting research and investigation of problems affecting livestock and agricultural products.

Mr. SORG, from the Committee on Workmen's Compensation reported as committed, House Bill No. 1055, entitled:

An Act to further amend the act, approved the fifth day of December, one thousand nine hundred and thirty-six (P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," changing the provisions thereof and the rights obligations and procedure thereunder.

Mr. BROWN, from the Committee on State Government, reported as committed, House Bill No. 1064, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by providing for the manner of payment of escheators' fees, informants' commissions, and other lawful charges due from moneys escheated to the Commonwealth, and escheatable moneys paid to the Commonwealth without escheat; designating the funds to which such moneys shall be credited; and making an appropriation.

Mr. FINNERTY, from the Committee on Appropriations, reported as committed, House Bill No. 1074, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Allentown State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor.

Mr. MOSER, from the Committee on State Government, reported as committed, House Bill No. 1088, entitled:

An Act to amend sections one and two of the act, approved the seventh day of August, one thousand nine hundred forty-one (P. L. 887), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor and the Department of Welfare, to acquire certain land adjacent to and for the use of the Scranton State Hospital, providing for the improvement and use thereof, authorizing the City of Scranton to pay the costs of such improvements in whole or in part, and making an appropriation," further providing as to the improvement and use of the land acquired under authority of said act.

Mr. LLOYD H. WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 1098, entitled:

An Act making an appropriation to the Pennsylvania Historical Commission to cover the expenses of restoring and refurnishing the Daniel Boone Homestead.

Mr. WALTER E. ROSE, from the Committee on Appropriations, reported as committed, House Bill No. 1105, entitled:

An Act making an appropriation to the Department of Property and Supplies for the restoration, improvement and equipment of the Pottsgrove Mansion in the borough of Pottstown on the advice and subject to the approval of the Pennsylvania Historical Commission.

Mr. STOCKHAM, from the Committee on Appropriations, reported as committed, House Bill No. 1107, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Mr. BRETHERICK, from the Committee on Appropriations, reported as amended, House Bill No. 81, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware, Commonwealth of Pennsylvania, and prescribing certain conditions upon which the appropriation will be available to the school.

Mr. TAHL, from the Committee on Appropriations, reported as amended, House Bill No. 106, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

Mr. O'NEILL, from the Committee on Appropriations, reported as amended, House Bill No. 191, entitled:

An Act making an appropriation to the Pennsylvania State College for expenditure by the School of Mineral Industries thereof under the Supervision of the Department of Mines for the purpose of developing new uses and markets for anthracite and bituminous coal.

Mr. TAHL, from the Committee on Appropriations, reported as amended, House Bill No. 278, entitled:

An Act making an appropriation for the maintenance, repair, and improvement of the Port of Philadelphia.

Mr. DALRYMPLE, from the Committee on Appropriations, reported as amended, House Bill No. 307, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used for the acquisition of land within the limits of the "Bucktail State Park"; and prescribing the uses to be made of such land.

Mr. McKINNEY, from the Committee on Appropriations, reported as amended, House Bill No. 415, entitled:

An Act making an appropriation to the Department of Property and Supplies for the acquisition of lands and the erection of new buildings and service systems, and the alteration and extension of existing buildings and service systems for the use of the Soldiers' Orphan School at Scotland, Pennsylvania.

Mr. VAN ALLSBURG, from the Committee on Appropriations reported as amended, House Bill No. 428, entitled:

An Act making an appropriation to the Trustees of th Pennsylvania State College for expenditure by the Scho of Mineral Industry under the supervision of the Depart ment of Mines for the purpose of developing new use and markets for slate and slate products.

Mr. DALRYMPLE, from the Committee on Appropriations, reported as amended, House Bill No. 493, entitled

An Act making an appropriation to the Department o Forests and Waters for the use of the Pennsylvania Stat Park and Harbor Commission of Erie, and for the join use of the Federal Government and the Department o Forests and Waters of the Commonwealth of Pennsylvania.

Mr. LOVETT, from the Committee on Appropriations reported as amended, House Bill No. 532, entitled:

An Act making appropriations for aid to free public non-sectarian county libraries, and for the purchase and transportation of books.

Mr. VAN ALLSBURG, from the Committee on Appropriations reported as amended, House Bill No. 671, entitled:

A Further Supplement to the act approved the first day of April, one thousand eight hundred and sixty-three (P. L. 213), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making an appropriation for carrying the same into effect.

Mr. MUIR, from the Committee on Appropriations, reported as amended, House Bill No. 945, entitled:

An Act lapsing all unexpended or unencumbered balances of appropriations from all funds made by the General Assembly at its session of one thousand nine hundred and thirty-five, and prior sessions, and at its regular sessions of one thousand nine hundred and thirty-seven, and one thousand nine hundred and thirty-nine, and the Special Sessions of one thousand nine hundred and thirty-six and one thousand nine hundred and thirty-eight.

Mr. STOCKHAM, from the Committee on Appropriations, reported as amended, House Bill No. 961, entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

Mr. O'NEILL, from the Committee on Appropriations, reported as amended, House Bill No. 968, entitled:

An Act making an appropriation to aid certain school districts.

Mr. DALRYMPLE, from the Committee on Appropriations, reported as amended, House Bill No. 975, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Valley Forge Park Commission in payment of lands acquired by condemnation.

Mr. HOCKE, from the Committee on Highways, reported as amended, House Bill No. 1006, entitled:

An Act authorizing and directing the Department of Highways to erect and construct and maintain as a post war construction project, a toll bridge over the Ohio River at a point in the Borough of Aliquippa in the vicinity of Franklin Avenue and to provide the necessary approaches thereto providing for the acceptance of Federal aid empowering counties to pay certain damages; providing for the collection of tolls on such bridge and making an appropriation.

Mr. MUIR, from the Committee on Appropriations, reported as amended, House Bill No. 1030, entitled:

An Act making an appropriation to the Jefferson Medical College, of Philadelphia, Pennsylvania, for medical education.

Mr. McKINNEY, from the Commtitee on Appropriations, reported as amended, House Bill No. 1101, entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and forty-three, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and forty-three.

Mr. LLOYD H. WOOD, from the Committee on Appropriations, repotred as committed, Senate Bill No. 142, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg, and for the acquisition of real estate in connection therewith, and for the demolition of the buildings and structures thereon providing for and imposing powers and duties upon a Capitol Park Extension Commission conferring powers and duties upon the Department of Property and Supplies and making an appropriation.

Mr. BRETHERICK, from the Committee on Workmen's Compensation, reported as committed, Senate Bill No. 177, entitled:

An Act to amend section three hundred one of the act approved the fifth day of December, one thousand nine hundred and thirty-six (1937 P. L. 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties," providing for the payment of contributions by employers in accordance with an experience rating system and providing for and regulating such experience rating system and the terms and procedure to effectuate the same.

Mr. KOWALSKI, from the Committee on Appropriations, reported as committed, Senate Bill No. 178, entitled:

An Act to amend section one of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-five (P. L. 244), entitled "An act creating a Local Government Commission to study and report on functions of local government; their allocation and elimination; the cost of local government and means of reducing it; and the consolidation of local government; and making an appropriation," fixing the terms of the member of said commission; providing for the filling of vacancies; and making an appropriation.

Mr. McKINNEY, from the Committee on State Government, reported as committed, Senate Bill No. 207, entitled:

An Act providing for commissioning as police officers, certain employes of institutions maintained in whole or in part by the Commonwealth; conferring upon them the powers of constables in certain cases; and imposing duties on wardens and keepers of jails, police stations and lock-ups.

Mr. CULLEN, from the Committee on State Government, reported as committed, Senate Bill No. 261, entitled:

An Act to amend section one of the act, approved the fifth day of August, one thousand nine hundred and forty-one (P. L. 826), entitled, "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey certain plots of land," by correcting the location of the plot of land described in paragraph Fourteen, and providing for the sale of certain additional plots of land.

Mr. BARTON, from the Committee on Printing, reported as committed, Senate Bill No. 266, entitled:

An Act to provide for the publication of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports conferring powers and imposing duties on the State Reporter the Department of Property and Supplies and the Secretary of the Commonwealth providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof and repealing certain acts and parts of acts.

Mr. BRETHERICK, from the Committee on State Government, reported as committed, Senate Bill No. 267, entitled:

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped

Mr. HAUDENSHIELD, from the Committee on State Government, reported as committed, Senate Bill No. 297, entitled:

An Act to amend Article II section two hundred two and to repeal Article IV section four hundred thirty-three and Article XVIII section one thousand eight hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined."

Mr. ERB, from the Committee on Constitutional Amendments, reported as committed, Senate Bill No. 309, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

Mr. CHERVENAK, from the Committee on Constitutional Amendments, reported as committed, Senate Bill No. 310, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

Mr. McMILLEN, from the Committee on Education, reported as committed, Senate Bill No. 312, entitled:

An Act to further amend section one thousand four hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for payment for education of blind children out of appropriations made to the Department of Public Instruction for such purposes and conforming said section to existing law.

Mr. ROYER, from the Committee on State Government, reported as committed, Senate Bill No. 401, entitled:

An Act to amend section five hundred twenty-five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by making provision for the destruction of certain records in the various administrative departments, boards or commissions, after such records have been first microfilmed.

Mr. SIMONS, from the Committee on State Government, reported as committed, Senate Bill No. 453, entitled:

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund.

Mr. SAMUEL ROSE, from the Committee on State Government, reported as committed, Senate Bill No. 474, entitled:

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth, together with the rentals derived therefrom, shall be repaid to and credited to the proper special fund, from which the funds to purchase said real estate were taken.

Mr. McKINNEY, from the Committee on State Government, reported as committed, Senate Bill No. 478, entitled:

An Act to amend section two of the act approved the second day of June, one thousand eight hundred and eighty-three (P. L. 61), entitled "An act supplementary to an act, entitled 'An act for the incorporation and regulation of corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, authorizing the incorporation of pipe lines for the transportation of petroleum, and providing for the exercise of the right of eminent domain in taking lands and property for such purposes," by enlarging and extending the powers of such companies including the acquisition and disposition of franchises, shares of stock and property of such companies in this and other states, the distribution and storage of oil and petroleum products, the use of connnecting lines and equipment of other companies and producers and refiners, the construction and maintenance of connecting pipe lines or branches, pumps, tanks and other equipment within and without the State; extending the power of eminent domain; preserving the jurisdiction of the Pennsylvania Public Utility Commission; and regulating the laying of pipes by such companies and by foreign companies including companies incorporated under the Act of Congress, and the erection and protection of storage tanks.

Mr. ROBERTSON, from the Committee on Statee Government, reported as committed, Senate Bill No. 502, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County.

Mr. BONAWITZ, from the Committee on State Government, reported as committed, Senate Bill No. 521, entitled:

An Act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States.

Mr. HARE, from the Committee on Education, reported as amended, Senate Bill No. 34, entitled:

An Act prescribing temporary emergency war provisions with respect to the administration of certain provisions of the school laws of this Commonwealth relating to days for school to be in session closing schools and suspending classes temporary assignment and reassignment of teachers extension of transportation facilities and payment of tuition in lieu of transportation obtaining full State subsidies and granting temporary farm and domestic employment certificates for certain pupils under certain conditions authorizing boards of school directors (or boards of public education with the approval of the Superintendent of Public Instruction to put such provisions into operation and to suspend the provisions of existing school laws inconsistent therewith upon findings by such boards.

Mr. BOWER, from the Committee on State Government, reported as amended, Senate Bill No. 165, entitled:

An Act to amend section six hundred seven, and to further amend section seven hundred one of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by authorizing the appointment of certified public accountants for the purpose of auditing the accounts of the Auditor General, and requiring the Auditor General to submit all books, records and papers to such accountants.

Mr. ELDER, from the Committee on Boroughs, reported as amended, Senate Bill No. 218, entitled:

An Act to further amend Sections 601, 602 and 605 of and to add Sections 601.1, 601.2 and 601.3 to the act approved the fourth day of May, one thousand nine hundred twenty-seven, (P. L. 519), entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs," changing and further providing procedure to create change or establish boundaries of wards in boroughs imposing additional duties on borough councils, providing in certain cases for local option and terminating unfinished proceedings heretofore commenced for such purposes.

Mr. MUIR, from the Committee on State Government, reported as amended, Senate Bill No. 311, entitled:

An Act relating to appointments reclassifications and promotions made under any civil service system of this Commonwealth after the effective date of this act until a period after the cessation of hostilities making such appointments of war duration providing for examinations at the end of such period suspending inconsistent laws and prohibiting the establishment of civil service systems by rule or regulation for a limited period and suspending powers of the Personnel Director of the State Civil Service Commission and conferring powers on the State Civil Service Commission.

Mr. BROWN, from the Committee on State Government, reported as amended, Senate Bill No. 388, entitled:

An Act to amend sections three and four of and to add section 6.1 to the act, approved the thirty-first day of July, one thousand nine hundred forty-one (P. L. 644), entitled "An act to authorize housing authorities to undertake the development or administration of projects to provide safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell or lease certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government to provide safe and sanitary dwellings for persons engaged in national defense activities," by changing the definition of 'Persons engaged in national defense activities' extending the time in which the development of projects may be initiated thereunder and authorizing housing authorities to cooperate with and assist counties, cities, boroughs and incorporated towns.

Mr. BROWN, from the Committee on State Government, reported as amended, Senate Bill No. 389, entitled:

An Act to amend clause (g) of section three of, and to add section fourteen and one-tenth to, the act approved the twenty-eighth day of May, one thousand nine hundred thirty-seven, (P. L. 955), entitled "An act to promote public health, safety, morals, and welfare by declaring the necessity of creating public bodies, corporate and politic, to be known as housing authorities to engage in slum clearance, and to undertake projects, to provide dwelling accommodations for persons of low income; providing for the organization of such housing authorities; defining their powers and duties; providing for the exercise of such powers, including the acquisition of property by purchase, gift or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds, and other obligations, and giving security therefor; prescribing the remedies of obligees of housing authorities; authorizing housing authorities to enter into agreements, including agreements with the United States, the Commonwealth, and political subdivisions and municipalities thereof; defining the application of zoning, sanitary, and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation; and imposing duties and conferring powers upon the State Board of Housing, and certain other State officers and departments," authorizing housing authorities to cooperate with and assist counties cities boroughs and incorporated towns.

Mr. FLEMING, from the Committee on Appropriations, re-reported as committed, House Bill No. 839, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years, beginning the first day of June, one thousand nine hundred forty-three, evidenced by tax anticipation notes, secured by any payable from current revenues levied, assessed, collectible and accruing during such two fiscal years; defining the powers and duties of the Governor, the Auditor General and the State Treasurer in relation thereto; providing for the payment of interest on the payment of such loans, and making an appropriation.

Mr. KOWALSKI, from the Committee on Appropriations, re-reported as committed, House Bill No. 926, entitled:

An Act creating a commission to make a study of juvenile delinquency; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission, including the power to issue subpoenas, administer oaths and affirmations, retain employes and expend funds; and making an appropriation.

Mr. THOMPSON, from the Committee on Public Health and Sanitation, re-reported as amended, House Bill No. 57, entitled:

An Act to amend section three hundred ten of the act approved the twenty-second day of June, one thousand nine hundred thirty-seven, (P. L. 1987), entitled "An act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption, and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof; and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts," by including the drainage of silt in the provisions of article three thereof and suspending the enforcement of the act in certain cases.

Mr. FLEMING, from the Committee on Appropriations, re-reported as committed, House Bill No. 929, entitled:

An Act creating a commission to study the method of participation by the Commonwealth and local school districts in the maintenance of a thorough and efficient system of public school, prescribing its powers and duties, and making an appropriation.

Mr. HARE, from the Committee on Education, reported as committed, House Resolution No. 54.

BILLS READ AT LENGTH

Mr. MODELL. Mr. Speaker, in accordance with the provisions of the Constitution, I ask that all bills be read at length.

BILLS ON THIRD READING

BILLS PASSED OVER

There being no objection
House Bill No. 665, Printer's No. 420;
House Bill No. 717, Printer's No. 433;
House Bill No. 740, Printer's No. 464;
House Bill No. 828, Printer's No. 450;
House Bill No. 873, Printer's No. 451;
were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 843, as follows:

An Act to further amend section three hundred twenty-one of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by conforming said section to existing law by requiring the tax imposed thereby to be reported and paid to the Department of Revenue instead of the Insurance Commissioner

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section three hundred twenty-one of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as last amended by the act approved the twenty-fifth day of May one thousand nine hundred thirty-nine (P. L. 213) is hereby further amended to read as follows

Section 321 Additional Annual Reports from Foreign Companies and Associations Every stock or mutual insurance company association or exchange of another State or foreign government authorized to do business in this Commonwealth shall make report to the [Insurance Commissioner] Department of Revenue on or before March [first] fifteenth of each year under oath of its president secretary or attorney showing the gross premiums of every character and description received from business transacted in the Commonwealth during the year or fraction of year ending with the thirty-first day of December preceding whether said premiums were received in money or in the form of notes credits or any other substitute for money or whether the same were collected in this Commonwealth or elsewhere and to pay into the State Treasury through the Department of Revenue the requisite tax upon all such premiums Such companies associations and exchanges in making such report may deduct from the gross premiums received all premiums returned on policies canceled or not taken and all premiums actually received for re-insurances Stock companies with participating features in addition to the aforesaid deductions may deduct that portion of the premiums returned to the policyholders Life insurance companies may deduct dividends declared and actually used by policyholders in payment of renewal premiums and mutual companies associations and exchanges may deduct that proportion of the advance premium or deposit returned to members upon the expiration or termination of their contracts "Gross premiums" are defined to be the amount of dues fees and premiums stated in the policy contracts

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—197

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,

Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Thrasher,
Tiemann,
Trent,
Turbett,
Turner,
Van Allsburg,
Verona,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—1

Wagner, K. H.,

The majority required by the Consitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 944, Printer's No. 359,

Senate Bill No. 281, Printer's No. 135, on page 21,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 296, as follows:

An Act to repeal the act approved the twenty-seventh day of June one thousand nine hundred thirteen (P. L. 652) entitled "An act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers, in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof; providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities; providing for the creation of a canal board to have charge of said work; prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on; providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred; providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances; imposing certain duties upon the Auditor General and State Treasurer; authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor; and making an appropriation for carrying out certain provisions of this act" as amended by the act of the seventeenth day of June one thousand nine hundred fifteen (P. L. 990)

On the question,

Will the House agree to the bill on third reading?

Mr. HAUDENSHIELD. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 2, last line of title, by inserting at the end of said line, the following: "and to provide for the disposition of certain documents and records of the Lake Erie and Ohio River Canal Board".

Amend Sec. 2, page 3, line 29, by striking out the words "immediately upon final enactment" and inserting in lieu thereof: "upon the first day of January, one thousand nine hundred forty-four, and all books, papers, maps, documents and other records of the Lake Erie and Ohio River Canal Board, pertaining to functions performed under the act hereinbefore repealed shall, upon the aforesaid effective date, be delivered to the Department of Internal Affairs of the Commonwealth."

The SPEAKER. Will the House give unanimous consent to the offering of amendments at this time? Is there objection? The Chair hears none.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS PASSED OVER

There being no objection

House Bill No. 835, Printer's No. 278,

Senate Bill No. 20, Printer's No. 123,

Senate Bill No. 407, Printer's No. 161,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 358, as follows:

An Act to amend section one thousand one hundred fifty-six of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for the regulation of encroachments on township highways and the issuing of permits therefor by the township supervisors instead of by the Department of Highways of the Commonwealth and for the payment of permit fees into the township treasury

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one thousand one hundred fifty-six of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 1156 Highway Permits No railroad or street railway shall hereafter be constructed upon any township highway nor shall any railroad or street railway crossings nor any gas pipe water pipe electric conduits or other piping be laid upon or in nor shall any telephone telegraph or electric light or power poles or any coal tipples or any other obstructions be erected upon or in any portion of a township highway except under such conditions restrictions and regulations and subject to the payment of such fees for permits as may be prescribed and required by the [State Highway Department] township supervisors not exceeding the reasonable cost of issuing the permit and expense of inspecting the work authorized by such permit upon completion thereof All fees so collected for permits shall be paid into the [State Treasury and shall be credited to the special fund in the State Treasury into which motor vehicle registration and license fees are now paid and all such permit fees in said fund from time to time are hereby specifically appropriated to the State Highway Department for expenditure for the same purpose and in like manner as that for which the moneys now in said fund may be expended] township treasury All permits heretofore issued by the Department of Highways of the Commonwealth shall remain in full force and effect until altered or revoked by the township supervisors.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wagner, K. H.,
Wagner, P. L.,
Wachhaus,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

Senate Bill No. 240, Printer's No. 132;
Senate Bill No. 202, Printer's No. 54;
Senate Bill No. 295, Printer's No. 96;
Senate Bill No. 298, Printer's No. 115;
Senate Bill No. 37, Printer's No. 259 and
Senate Bill No. 39, Printer's No. 258

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 585, as follows:

An Act to amend section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled "An act supplementary to an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty" by fixing the time for the commencement and prosecution of indictments for felonies committed by certain persons

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section six of the act approved the twelfth day of June one thousand eight hundred seventy-eight (P. L. 196) entitled 'An act supplementary to an act entitled An act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty" is hereby amended to read as follows

Section 6 That indictments for felonies or misdemeanors committed by any officer director receiver superintendent manager broker attorney agent employe or member of any bank body corporate or public company municipal or quasi municipal corporation may be commenced and prosecuted at any time within four years from the time the alleged offense shall have been committed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,

Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 1039, Printer's No. 461,
House Bill No. 643, Printer's No. 455,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 171, as follows:

An Act to further amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further clarifying the term "deceased service persons" changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves changing the name of the veterans' grave registrar to director of veterans' affairs and prescribing his duties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Sections four hundred twenty-one four hundred twenty-two and four hundred twenty-three of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as last amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 683) are hereby further amended to read as follows

Section 421 ["Deceased Service Men" Defined] Definitions The term "deceased service [men] persons" as used in this act shall be defined and construed to mean and include [any soldier sailor marine yeoman (f) of either service or member of the enlisted nurse corps having a legal residence within any county within this Commonwealth who has died or shall hereafter die anywhere within or without the United States while in the service of the United States in the military naval or other branch of the combative forces of said United States during any war or campaign in which the United States has been or shall hereafter be engaged or where a state or condition of war has existed or shall hereafter exist in which the United States was or shall be a participant according to the records of the War or Naval Departments of the Federal Government or of any soldier sailor marine yeoman (f) of either service or member of the enlisted nurse corps who served or who shall hereafter serve in any such combative force of the United States during any war or campaign in which the United States has been or shall hereafter be engaged or who has served or shall hereafter serve in any such combative force of the United States where a state or condition of war existed or shall hereafter exist in which the United States was or shall be a participant according to the records of the War or Naval Departments of the Federal government whose separation from such active service was honorable whether by discharge or otherwise who has died or may hereafter die in any county of this Commonwealth or]

(1) Any deceased person who at the time of his or her death was serving (whether or not in a combat zone) in the Army Navy Marine Corps or Coast Guard during any war in which the United States has been is now or shall hereafter be engaged or who at the time of his or her death was serving in a zone where a campaign or state or condition of war then existed in which the United States was is or shall be a participant The existence of a campaign or state or condition of war and the participation of the United States therein as well as the fact that the deceased person served in a zone where such campaign or state or condition of war existed shall in each case be established by the records of the War or Naval Departments of the Federal Government or

(2) Any deceased person who had so served at any time during his or her life and whose separation from such service was honorable whether by discharge or otherwise or who at the time of his or her death was continuing in such service after the cessation of the war campaign or state or condition of war during or in which he or she served or

(3) Any deceased person who was in active service in the militia of the State of Pennsylvania under and in pursuance of any proclamation issued by the Governor during the Civil War and not duly mustered into the service of the United States and has been honorably discharged or relieved from such service [and who shall have a legal residence in any county of this Commonwealth and shall hereafter die either within or without the county of his legal residence]

The term 'legal residence" as used in this act shall be construed as synonymous with "domicile" and is hereby defined as actual residence coupled with intention that it shall be permanent or a residence presently fixed with no definite intention of changing it or of returning to a former residence at some future period Legal residence is to be determined by abode of person and his or her intention to abandon his or her former domicile and establish a new one The legal residence of a deceased service person shall be prima facie in the county where he or she made his or her abode at the time of his or her death

Section 422 Sum to be Spent The county commissioners [of the county of this State within which a deceased service man as hereinabove defined had a legal residence at the date of his death or the county commissioners of the county where a deceased service man died in case he or she had no legal residence in any county of this Commonwealth upon notice in writing by any organization of veterans that the body is unclaimed by relatives or friends and who upon investigation shall find such condition to exist are hereby authorized and directed to contribute the sum of seventy-five dollars ($75) toward the funeral expenses of such deceased service man] of each county are hereby authorized and directed to contribute the sum of seventy-five dollars ($75) towards the funeral expenses of each deceased service person in the cases enumerated below where in each case application therefor is made within one year after the date of his or her death and where the total expenses of the funeral does not exceed four hundred dollars ($400) Provided That in the case of any deceased service person who died while in the service application need not be made within one year after the date of his or her death but may be made at any time thereafter Payments shall be made under the following circumstances

(1) Where the deceased service person at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county It is hereby declared to be the intent of the General Assembly that every deceased service person having a legal residence in this Commonwealth at the time of his or her death shall be entitled to the benefits of this section regardless of where he or she may have died or where he or she may be buried and that the liability therefor shall be on the county where such deceased service person shall have had his or her legal residence at the time of his or her death

(2) Where the deceased service person died and was buried in the county but at the time of his or her death did not have a legal residence within this Commonwealth if the county commissioners of the county where he or she died shall be notified in writing by any organization of veterans that the body is unclaimed by relatives or friends and upon investigation shall find such condition to exist

(3) When a deceased service [man] person has died while a member of the Pennsylvania Soldiers' and Sailors' Home at Erie Pennsylvania and such home incurs all funeral expenses and buries the soldier in a cemetery in the City of Erie Pennsylvania or the home furnishes clothing casket and shipping case and ships the body to the county from which he was admitted to the home the county from which he was admitted shall reimburse and pay to the Pennsylvania Soldiers' and Sailors' Home the amount of seventy-five dollars ($75.00) or so much thereof as was actually expended by such home [Provided however That such county commissioners shall not contribute any moneys toward the funeral expenses of such deceased service man where the total expenses of his or her funeral shall exceed four hundred dollars ($400.00) nor unless application for the payment of such moneys shall be made within one year after the date of the death of such deceased service man]

Section 423 Burial of Widows of Deceased Service [Men] Persons [The] Upon due application and proof the county commissioners of each county are hereby authorized and directed to contribute the sum of seventy-five dollars ($75.00) from the county funds towards the funeral expenses of any widow of any male deceased service [man upon due application and proof] person who at the time of her death had a legal residence in the county whether or not she died in the county and whether or not she was buried in the county Provided however That the county commissioners shall not contribute any moneys toward the funeral expenses of any such widow of a deceased service [man] person who had remarried after the death of such deceased service person nor where the total expense of any such funeral shall exceed four hundred dollars ($400.00) nor unless application for the payment of such moneys shall be made within one year after the date of the death of such widow of a deceased service [man] person

Section 2 Section four hundred twenty-six of said act as last amended by the act approved the twelfth day of June one thousand nine hundred thirty-nine (P. L. 339) is hereby further amended to read as follows

Section 426 Markers for Graves Headstones The county commissioners of the several counties of this State shall from time to time as is considered expedient by the commissioners procure appropriate markers for the [grave of each and every deceased service man buried within the limits of any city borough township or district] graves of deceased service persons Such markers shall be of cast bronze which term shall mean a proper composition of the following metals in the following proportions Copper eighty-five per centum tin five per centum zinc five per centum and lead five per centum Provided however That no board of commissioners shall be required to discard any markers of other materials already purchased by such commissioners whether or not already installed but no new markers shall in the future be purchased of metal other than cast bronze as herein defined except that during periods of national emergency so proclaimed by the President of the United States when all available metal is required for war materials suitable non-metal substitutes for cast bronze may be used

[Upon the petition of any five reputable freeholders of the city borough township or district where any such deceased service man is buried a marker shall be placed upon the grave of such deceased service man for the purpose of permanently marking and designating such grave for memorial purposes] The county commissioners of each county are hereby authorized and directed to place a marker upon the grave of each deceased service person who at the time of his or her death had his or her legal residence in the county whether or not he or she died in the county and whether or not he or she was buried in the county and upon the grave of each deceased service person buried in the county who at the time of his or her death did not have a legal residence within this Commonwealth When such deceased service [man] Person shall have been a veteran of any war or campaign for which the Government of the United States issued discharge buttons the markers designated for their graves shall include a facsimile of said discharge button [The county commissioners may upon the petition of any five reputable freeholders of the city borough township or district within the county of which any deceased service man may have been a resident place such marker upon his or her grave when he or she is buried without the limits of said county]

It shall also be the duty of the county commissioners of each county in this State upon or at any time subsequent to the death of any deceased service [man who shall be buried within their counties on the application which application in all cases shall be on forms prescribed by the Department of Military Affairs of any relative or on the application of any friends of such deceased service man if such application by friends has been approved by any organization of veterans of any war in which the United States was engaged and provided that there be no objection by the nearest relative] person who at the time of his or her death had his or her legal residence in the county on application as hereinafter provided to cause a headstone or bronze memorial tablet to be placed at the head of or on the grave of each such deceased service [man] person containing his or her name and the rank and organization to which he or she belonged or in which he or she served in letters raised or cut in at least three-sixteenth of an inch deep on such headstone to be of either marble or granite and to be placed or set in a concrete base at least three feet deep or if a headstone has been provided for such grave by the United States Government the county commissioners shall provide such concrete base therefor [and the expense for the same shall be paid out of the funds of the county in which such deceased service man died or shall have had his legal residence] or if lettering only on an existing memorial is desired by the family the county commissioners shall provide such lettering Application therefor shall in each case be made on forms prescribed by the Department of Military Affairs and may be made by any relative of the deceased service person or by a friend provided in the latter case there is no objection by the nearest relative and the application is approved by an organization of veterans of any war in which the United States has been is now or shall hereafter be engaged The expense in each case shall be borne by the county in which the deceased service person had his or her legal residence at the time of his or her death whether or not he or she died in the county and whether or not he or she was buried in the county Provided however That the expense shall not exceed the sum of fifty dollars ($50.00) for each headstone or concrete base or lettering or bronze [marker] memorial tablet and the county commissioners of each county acting under this section shall draw a warrant on the treasurer of their county for the payment of said expense in favor of the party or parties furnishing such headstone or concrete base or lettering or bronze [marker] memorial tablet No such payment or payments shall be made unless the application therefor shall be approved before the commencement of the project by the county commissioners [Such application shall be accompanied by a death certificate of procurable]

Any person who shall wilfully maliciously carelessly or indifferently destroy mutilate remove or deface any grave marker or headstone placed or erected under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) or suffer imprisonment for not more than two years or both in the discretion of the court [In counties of the eighth class the county commissioners shall procure appropriate markers for the grave of each war veteran whose last legal residence was in the said county and who is buried outside the Commonwealth but within any state immediately adjacent to the Commonwealth and it shall be the duty of the commissioners of counties of the eighth class at any time subsequent to the death of any deceased Pennsylvania war veterans whose last legal residence was in such county and who is buried without the limits of the Commonwealth but within any state immediately adjacent thereto on the application of any relative or friend of such deceased service man and upon the approval of any veterans' organization and when no objection is made by the nearest relative of such deceased service man to erect or place on the grave of such deceased service man the headstone or memorial tablet described in this section]

Section 3 Subdivision (b) of article five of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 429 Proof of Service Et Cetera In each case where application is made for a contribution towards the funeral expenses of a deceased service person or the widow of a deceased service person or for a headstone or concrete base or lettering or bronze memorial tablet the county commissioners shall before expending any money therefor require proof of the following facts

(1) The service of the deceased service person which entitles him or his widow to the benefits of this act which proof shall be by the production of an honorable discharge or other official record showing service during any war in which the United States is or was engaged or by the records of the War or Naval Departments of the Federal Government or by copies thereof filed in the Department of Military Affairs showing the existence of a campaign or state or condition of war the participation of the United States therein and the service of the deceased service person in a zone where such campaign or state or condition of war existed

(2) The death of the deceased service person

(3) In the case of the burial of the widow of a deceased service person the death of such widow and the fact that she was married to the deceased service person at the time of his death and that she has not since remarried The proofs required by clauses one and two of this section shall also be required in such cases

(4) Except in cases where persons not having a legal residence within this Commonwealth are entitled to any of the benefits of this act the legal residence within the county of the deceased service person or of the widow of a deceased service person as the case may be

Death shall in all cases be proved by death certificate where the same is procurable otherwise by affidavit of one or more persons personally acquainted with the deceased and the fact of his or her death or by proof of the record of death kept by the attending physician or the record of burial kept by the undertaker by whom he or she was buried or by the church burial association or cemetery company maintaining the graveyard burial ground or cemetery in which he or she was buried

Where any proof required by this section has been furnished to the county commissioners no further proof of the same facts shall be required in order to obtain any other benefit under the provisions of this act

Section 4 The last two paragraphs of section four hundred thirty-nine of said act as last amended by the act approved the ninth day of June one thousand nine hundred forty-one (P. L. 100) is hereby further amended to read as follows

Section 439 [Duties of Grave Registrar and] Compilation of War Records

* * * *

For the purpose of locating the burial places of persons who have served in the military or naval service or other branches of the combative forces of the United States during any war in which the United States was engaged the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans [of the World War] through their local camps posts and branches in this State are authorized without expense to the county to collect the required data and prepare and file with the county commissioners certificate embodying the information provided for in this section For the purpose of carrying into effect the provisions of this section the county commissioners shall appoint a veterans' grave registrar who shall receive such compensation as the salary board may fix in counties where such boards exist otherwise by the county commissioners

It shall also be the duty of the veterans' grave registrar to assist the county commissioners in administering the provisions of this act relating to the burial of deceased service persons and their widows and to furnishing markers and placing headstones on their graves

Assist war veterans and their families in securing their rights as such in matters relating to their person property and care of family under any of the laws of this Commonwealth and of the United States and for such services the grave registrar shall be entitled to his expenses incurred therein and additional compensation and both expenses and compensation shall be subject to the approval of the salary board or county commissioners as the case may be

Section 5 The provisions of this act shall become effective ten days after its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Alspach,
Auker,
Baker,
Barton,
Barrett,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook.
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thrasher,
Thompson,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,

Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER ON THIRD READING AND FINAL PASSAGE

The SPEAKER. The Chair lays before the House the special order of business set for this time, Senate Bill No. 272, Printer's No. 245, bill on third reading and final passage, page 1 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of Senate Bill No. 272, as follows:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 For the purpose of electing representatives of the people of Pennsylvania to serve in the House of Representatives in the Congress of the United States this Commonwealth shall be divided into thirty-three districts which shall have one congressman each as follows

The first district shall consist of the first second third fourth twenty-sixth thirtieth thirty-sixth thirty-ninth and forty-eighth wards of the city of Philadelphia

The second district shall consist of the twenty-seventh thirty-fourth fortieth forty-fourth forty-sixth fifty-first and fifty-second wards of the city of Philadelphia

The third district shall consist of the fifth sixth seventh eighth ninth tenth eleventh twelfth thirteenth fourteenth fifteenth sixteenth seventeenth eighteenth nineteenth twentieth twenty-fifth thirty-first and forty-fifth wards of the city of Philadelphia

The fourth district shall consist of the twenty-fourth twenty-eighth twenty-ninth thirty-second thirty-seventh thirty-eighth and forty-seventh wards of the city of Philadelphia

The fifth district shall consist of the twenty-third thirty-third thirty-fifth forty-first and forty-third wards of the city of Philadelphia

The sixth district shall consist of the twenty-first twenty-second forty-second forty-ninth and fiftieth wards of the city of Philadelphia

The seventh district shall consist of the county of Delaware

The eighth district shall consist of the counties of Bucks and Lehigh

The ninth district shall consist of the counties of Lancaster and Chester

The tenth district shall consist of the county of Lackawanna

The eleventh district shall consist of the county of Luzerne

The twelfth district shall consist of the counties of Schuylkill and Northumberland

The thirteenth district shall consist of the county of Berks

The fourteenth district shall consist of the counties of Bradford Pike Susquehanna Wayne Columbia Montour Sullivan and Wyoming

The fifteenth district shall consist of the counties of Clinton Lycoming Potter Tioga McKean and Cameron

The sixteenth district shall consist of the county of Montgomery

The seventeenth district shall consist of the counties of Fulton Huntingdon Juniata Mifflin Perry Snyder Bedford and Union

The eighteenth district shall consist of the counties of Cumberland Dauphin and Lebanon

The nineteenth district shall consist of the counties of Warren Jefferson Venango Forest Clarion and Elk

The twentieth district shall consist of the counties of Northampton Carbon and Monroe

The twenty-first district shall consist of the counties of Adams York and Franklin

The twenty-second district shall consist of the counties of Clearfield Centre and Blair

The twenty-third district shall consist of the counties of Fayette and Somerset

The twenty-fourth district shall consist of the counties of Greene and Washington

The twenty-fifth district shall consist of the counties of Beaver Butler and Lawrence

The twenty-sixth district shall consist of the counties of Armstrong Indiana and Cambria

The twenty-seventh district shall consist of the county of Westmoreland

The twenty-eighth district shall consist of the counties of Mercer Crawford and Erie

The twenty-ninth district shall consist of the seventh eighth eleventh twelfth thirteenth and fourteenth wards of the city of Pittsburgh the boroughs of Chalfant Churchill Edgewood Forest Hills Oakmont Pitcairn Swissvale Verona and Wilkinsburg in the county of Allegheny and the townships of Braddock Patton Penn Plum and Wilkins in the county of Allegheny

The thirtieth district shall consist of the twenty-first twenty-fifth twenty-sixth and twenty-seventh wards of the city of Pittsburgh the boroughs of Aspinwall Avalon Bellevue Ben Avon Heights Blawnox Brackenridge Bradford Woods Cheswick Edgeworth Emsworth Etna Fox Chapel Glenfield Haysville Leetsdale Millvale Osborne Sewickley Sewickley Heighth Sharpsburg Springdale Tarentum West View in the county of Allegheny and the townships of Aleppo East Deer Fawn Franklin Frazer Hampton Harrison Harmar Indiana Kilbuck Leet Marshall McCandless O'Hara Ohio Pine Reserve Richland Ross Sewickley Sewickley Heights Shaler Springdale and West Deer in the County of Allegheny

The thirty-first district shall consist of the nineteenth twentieth twenty-eighth twenty-ninth thirtieth and thirty-second wards of the city of Pittsburgh the boroughs of Brentwood Bridgeville Carnegie Castle Shannon Coraopolis Crafton Dormont Greentree Heidelberg Ingram Mt. Oliver the fifth election district of McDonald Oakdale Mckees Rocks Rosslyn Farms Thornburg in the county of Allegheny and the townships of Baldwin Bethel Collier Crescent Findlay Kennedy Mt Lebanon Moon Neville North Fayette Robinson Scott South Fayette Upper St Clair and Stowe in the county of Allegheny

The thirty-second district shall consist of the first second third fourth fifth sixth ninth tenth fifteenth sixteenth seventeenth eighteenth twenty-second twenty-third and twenty-fourth wards of the city of Pittsburgh

The thirty-third district shall consist of the thirty-first ward of the city of Pittsburgh the cities of Clairton Duquesne and McKeesport in the county of Allegheny the boroughs of Braddock Dravosburg East Pittsburgh East McKeesport Elizabeth Glassport Homestead Liberty Munhall North Braddock Port Vue Rankin the first election district of Trafford Turtle Creek Versailles Wall Whitaker West Homestead West Elizabeth and Wilmerding in the county of Allegheny and the townships of Elizabeth Forward Jefferson Lincoln Mifflin North Versailles Snowden South Versailles and Versailles in the County of Allegheny

Section 2 The first election under this act shall be held at the general election in the year one thousand nine hundred forty-four

The members of Congress now in office shall continue in such office until the expiration of their respective terms Vacancies now existing or happening after the passage of this act and before the commencement of the terms of the members elected at the election of one thousand nine hundred forty-four shall be filled for the unexpired terms in the manner now provided by law

Section 3 The act approved the twenty-fifth day of February one thousand nine hundred forty-two (P. L. 7) entitled "An act concerning the election of representatives of the people of Pennsylvania to serve in the House of Representatives of the Congress of the United States providing for the appointment of the Commonwealth into congressional districts and for the election of one representative in Congress at large" is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, it has already been stated on the floor of this House and it bears repetition, that Senate Bill 272, the bill now before us, is probably one of the important bills of this session. Important for many reasons, chief among which is that it is a shallow attempt to upset the proper processes for the orderly conducting of elections of Congressmen in Pennsylvania.

I should like to read excerpts from statements that have recently been made in Congress which can very clearly set forth the general views in opposition to this bill, and with your permission I shall read a statement made in Congress on April sixteenth of this year by the gentleman from Philadelphia, Mr. McGranery, on page 3520 of the Congressional Record which reads as follows:

> "Mr. McGRANERY. Mr. Speaker, I wish to call the attention of the House to a horrible spectacle now being enacted in the State of Pennsylvania. Following the taking of the census in 1940 the House of Representatives of the state of Pennsylvania in the majority were Democrats and in the State senate the majority Republicans. Following this census taking of 1940 it was decided that the State be reapportioned. Several bills were introduced in order to bring the situation to a head and reapportion the State. A Committee was appointed to agree on a fair reapportionment. On that committee 12 Republicans were appointed and 12 Democrats.
>
> A bill was agreed upon. That bill was introduced and passed by the Pennsylvania Legislature and became law. Within one year, Mr. Speaker, the new majority leader of the senate, a Republican senator, introduced a new bill to reapportion again the State of Pennsylvania, designed to take away and deprive the city of Pittsburgh of its three distinguished Democrats who now represent that district and to prevent their returning to this House. In the city of Philadelphia this new bill will take away one Member of the Congress. The reapportionment is a foul blow to democratic government.
>
> Ordinarily you would say, this was rather a shamefaced thing to do. The present majority leader of the senate voted for the Apportionment Act of 1942. In these days to gerrymander a State for nothing other than a political purpose and scheme is certainly something to ponder. That is not all. The worst is yet to come.
>
> Our Governor took office in January and in his inaugural address asked from the legislature unity of action and purpose so that we may carry on the war effort. He asked for an adjournment of politics. But lo and behold, in yesterday morning's Inquirer, he had this to say to the newspapermen when asked for his opinion of the filibuster:
>
>> 'It is just the good old American way. When we Republicans were in the minority we bellyached when they ran over us. It just has to be done.'
>
> Mr. Speaker, as a Representative from the State of Pennsylvania, I denounce any man who would stoop so low, or who would demean his office in making so contemptible a statement as that uttered by Governor Martin. This shows an utter disregard of the rights of minorities and a complete lack of understanding of the fundamental rights of the citizens of Pennsylvania. It is certainly not the statement of a man properly occupying the exalted position of Governor of a great State, but rather may it be likened to the dead mackeral that both shines and stinks in the moonlight. It is not yet too late for the Governor to repent and this is his place of locus penitentiae or a place where he may well repent for that loose statement. Let him be big under the circumstances and tell the people of Pennsylvania that he did not mean that. That he will guard and protect the rights of all of the people of Pennsylvania, which include the minorities. He said it has to be done. I say to Governor Martin that the one thing that must be done and have to be done would be first of all win the war and send word to our boys on Guadalcanal, in North Africa, and on all the fighting fronts that he is exercising his power as Governor of Pennsylvania in the best interest of all of the people.
>
> Do not let our boys down. I would say to Governor Martin, take those words back and take them back quickly. He was charged in the last campaign with having resigned his place as a Major General in the United States Army in order to run for Governor of Pennsylvania. It is true he had a notable career in the last war, and in the reorganization of the Pennsylvania National Guard, and as a friend and American, I say to Governor Martin, you have made a very serious mistake, so take those words back. You really never meant just that. So that you want unity, you want harmony, and you want a maximum amount of production from our great industrial State, and that maximum industrial production can only come from unity and harmony, from all our people. Do not tell our people that you merely represent the interest of the Republican Party. Do not ignore minorities. Give them the respect that is their due.
>
> One of the men who made America great and that we all feel proud of is General Grant. I say to the Governor, let him read about Lee's surrender. Let him read what Grant told Lee at that great surrender when he passed his sword to Grant. Grant said, "No." And when it came to turning over the horses, Grant said, "Take them back home with you. You are just in time for plowing." Be magnanimous and gracious in victory.
>
> I say, Governor Martin, you do not speak for me as a Pennsylvanian because I have tried to guide myself not along political lines but rather have I always kept my eye on that great horizon where victory will come, and complete victory. We do not need politics, but we do need to win this war. I never in all my life read such a statement from a man occupying a high place. I still think that public office is a public trust and I pray God that Governor Martin will recant and ponder this loose talk of his. Yes, I say that Governor Martin must do the proper thing because Governor Martin has gone too far; but let him explain to the people and to our boys out on all the fighting fronts that he is the Governor of all the people of Pennsylvania, that he is not going to run roughshod over anybody, that he will remember his oath of office and that only through unity can we conquer our common enemy. Do not let your career

> close by being crowned in ignominy as a cheap rasping politician at a time when your country is engaged in a life and death struggle.
>
> You can do that by showing this legislature that they are in error, that they did reapportion our State in good faith one year ago, and you can see that the Representatives in Congress from that great State shall at least have a fair chance."

Then may I quote from the gentleman from Allegheny, Mr. Eberharter, appearing on page 3521, on the same day, reading as follows:

> "Mr. EBERHARTER. Mr. Speaker, in all my experience in the 6 years I have been a Member of this House, never have I heard any Member of Congress make such a frank confession as did the gentleman from Pennsylvania (Mr. Ditter) in admitting that the only reason the Legislature of Pennsylvania had for passing a congressional reapportionment bill at this session was for political advantage. He seemed to take a great deal of satisfaction out of that fact, and admitted it very frankly."
>
> Let me make further reference to Mr. Eberharter on that subject. These are words spoken in the Halls of Congress:
>
> "May I remind the gentleman of the fact that less than a year ago the leaders of the Republican Party and the leaders of the Democratic Party in Pennsylvania made an agreement as to the reapportionment, and it was the implied understanding that that reapportionment was to extend for the balance of this census period, in other words, until 1950. By their actions the leaders of the Republican Party in Pennsylvania are breaking at least an implied promise that that reapportionment they agreed upon would stand.
>
> May I say also that the legislature dominated by the Republicans in Harrisburg this year will go down in history as a legislature that accomplished nothing whatever, practically, except legislation which ripped out of office Democrats who were serving the public and who have been serving the public for many, many years."

Further adding, Mr. Speaker, to the statement by the gentleman from Philadelphia, Mr. McGranery:

> "The big thing over and beyond all this with me is that I should like Governor Martin to hark back to his own inaugural address, in which he pled for unity and for an adjournment of politics for the duration, instead of saying now as the leader of our great State, 'Yes, they did it to us, now we will do it to them. We have the votes and that is all that counts. Let him remember that victory means everything.' "

May I quote from the gentleman from Allegheny, Mr. Eberharter, on the date of April 19, 1943, on page 3621? The gentleman from Allegheny, Mr. Eberharter, is now speaking. He said:

> "Mr. Speaker, the plan of the Republican National Committee is to have the States in which its party exercises control, reapportion and gerrymander the congressional districts in such a manner as to make it impossible to elect Democrats to Congress.
>
> "In my home state of Pennsylvania, the Republican Party now in control is furthering the Republican National Committee's plan at this moment by forcing through reapportionment legislation which will reduce the Democratic representation in the National Congress by at least five Members, and this result is being achieved by the most reprehensible and ruthless type of gerrymandering of the district boundaries.
>
> "Mr. Speaker, by gerrymandering out of office five Democrats and substituting in their place five Republicans, it can be readily perceived that by such action in one State alone control of the Congress can be practically switched from one party to the other. This is a direct denial of the will of the people and contrary to the intent of the Constitution. A Republican State senator is reported to have said:
>
> > 'We have control of the Senate, we have control of the House, our Governor is a Republican, and we have the courts.'
>
> Mr. Speaker, I call upon the gentleman from Massachusetts, Joe Martin, minority leader, upon the chairman of the Republican National Committee, and the chairman of the Republican National Congressional Committee to call a halt to this disgraceful plot, and it is time for the Congress to make a proper study of the Federal statutes relating to apportionment of congressional districts and to enact legislation which will in the future prevent methods by which the will of the people can be thwarted."

Mr. Speaker, back in 1935 a Democrat for the first time in half a century was elected Governor of Pennsylvania, and that was by the will of the people; and by the will of the people there was returned to Harrisburg a Democratic House, and by the will of the people there was returned to Harrisburg a Republican Senate. It left Governor Earle in the position where he had to fight the Republican Senate for what the people told him he had a right to do. They elected him, and they wanted to have his platform put into effect. When the Republican Senate refused to go along with his program, Governor Earle did what any governor ought to do, go to the people over the heads of the Senate and fight for his program. Eventually in the special session of 1936 that fact was accomplished, and Pennsylvania was able to go on as the will of majority in 1935, in the election of 1934.

In 1939, the will of the people elected a Republican Governor, House and Senate. In 1941 the will of the people elected a Republican Senate and a Democratic House. In 1943 the will of the people again elected a Republican Governor, a Republican House and a Republican Senate, but in the special session of 1942, after quite a bit of wrangling along purely party lines, the leaders of both parties, shocked to the very bottoms of their hearts and consciences by the attack on Pearl Harbor, did the right thing, the honorable thing and the American thing by giving up party squabbles. They forgot about party politics and agreed upon a reapportionment bill. At that time they agreed also that that would be the congressional apportionment for this election and all elections until 1950, when there should be another census. The election campaign was not on the question of apportionment, and based upon an agreement between both parties there was the will of the people expressed at the last election which returnd to the National Congress a majority of Democratic congressmen from Pennsylvania; and because the Republican party came so close, because they did not get the brass ring, they started to bellyache, not only in Pennsylvania but all over the country. If they cannot lick the Democratic party fair and square when they go to the people they are going to make it so that the people won't have a chance to fool them again. That is what this bill seeks to do; fool the people and make it impossible for the people to properly vote in their districts as now set, and enable the people they want to go to Congress. The districts as they were showed the will of the people; in some districts the Democrats won and in other districts the Republicans won. Some were walk-aways and some were close fights, but, Mr. Speaker, that is no reason for sitting down and making up your minds that we are going to get rid of the walk-aways by making them even easier, that you are going to make it possible for some Democratic congressmen and some Republican congressmen to come in without even having to go to the people to campaign because nothing under heaven and earth can stop their election. Now you are going to make it possible for men on both sides to do that, but you are going to thwart the will of the people in this last election, to have close enough districts, that the congressional candidates will go to the people and argue their points of difference, and what the people say and what the people want in their districts. That is the vicious thing in this kind of legislation at this time. The will of the people as expressed by majorities in Harrisburg is not the will of the people as expressed in our congressional elections.

I have said it before and am going to say it now again, and if need be I will say it some more this session as long as it lasts, that the purpose and intent of this entire session has been to wreck the Democratic organization and the political machine that represents the Democratic voters of Pennsylvania. The purpose of this session is to further strengthen the Republican organization and Republican political machine that expresses the will and the desires of Republican voters. The same people who said that Republicans should hold sway in Harrisburg said that the Democrats should hold sway in Washington. You could not win the election on the up and up, but you are doing it in Pennsylvania and you are doing it in other states of the Union, and you are going to make sure by this despicable gerrymandering process that no matter what the majority of the people of America want in the next congressional election, you are going to make sure, just the same, that Republicans will control Congress and may control the United States Senate at a time when we want a peace for which we all fervently hope and pray. I have said it before and I will say it now and again, that you may go contrary to the wishes of the people and you may wreck and you may ruin the Democratic organization and machine, but you are never going to lick the people of Pennsylvania and you never are going to lick the people of the United States..

Mr. TATE. Mr. Speaker, I rise at this time to oppose the passage of Senate Bill 272. It seems to me and to us on this side that Senate Bill 272 is more particularly aimed at the people of the city and county of Philadelphia than any other section of the state. It is hard for me to understand why this attitude has developed against the fair City of Brotherly Love.

Just for the purpose of the record I would like to recite some of the outstanding achievements of the city of Philadelphia.

Philadelphia is truly the third city in these United States. It is Pennsylvania's first love. It was there that the Continental Congress first met, it was there where the Declaration of Independence was drafted and signed. It was the birthplace of our Constitution and our flag, and it was the national capital from 1790 to 1800. It has grown in numbers and in area since that early day. It is not a small part of our state, as many would believe, and it is not a congested area, for it has an area of approximately one hundred and thirty square miles, and it has increased in population from fifty-five thousand in 1777 to almost two million today. In the city of Philadelphia we have four hundred and thirty-five thousand dwelling units, and it is truly a city of homes. It is Pennsylvania's only port, and it is one of the most outstanding shipping ports in the nation. Pennsylvania has been termed the arsenal of Democracy. It could not be so without the most generous efforts of the people of the city of Philadelphia so Philadelphia is really the arsenal of Pennsylvania. Even before the war it was the world's greatest workshop. It has nearly five thousand separate manufacturing plants employing close to two hundred and fifty thousand persons, who earn more than three hundred million dollars in wages annually. Its products are valued at close to two billion dollars. Today its products comprise at least one fifth of the war material for the nation. It has twelve hundred churches and scores of societies devoted to the alleviation of suffering and the betterment of conditions of life. Its vast system of schools educates one half million children annually. It is steeped in historical traditions, and it has mainly been responsible for the outstanding record of Pennsylvania in industry and in affairs of the Union.

And yet, Mr. Speaker, the Republican party singles it out to pay the penalty on the ground that it had a reduction of one per cent in population in the census of 1940, whereas today upwards of four hundred thousand new residents have come into the city, which should permit us to gain a Congressman rather than to lose one. It seems apparent that on the face of the record Republican organizations in the city of Philadelphia have agreed to this mutilation. I now charge them with selling the citizens of Philadelphia down the river and blaming the Republican Members of the House throughout the state, who obviously from the interrogation and debate of yesterday could not understand our problem and do not understand our population figures. It is hard for me to understand why the Republican party wants to break one of the most outstanding precedents in the history of this Commonwealth. Apportionment has been made by this Assembly but once following each decennial census since the year 1791. At no time did they depart from this procedure. As members of one of the oldest legislative bodies in this nation we should not rush in too hastily to break a custom which has been followed for over one hundred fifty years, yes, since the founding of these United States under the Constitution. Why must we do this, especially during the war? In the national Congress today the difference in political strength is but fourteen votes. If Senate Bill 272 becomes a law Pennsylvania Republicans will gain at least five new congressmen, which will further cut down the Democratic majority in the national Congress by this simple function of Senate Bill 272, obviously a formula reeking with the smell of gerrymandering. Why must we do this in this period of war?

These days are perilous days. We are engaged in the greatest conflict that ever faced these United States, and this measure will have a decided effect on that war effort and the peace to follow. This controversy in the House resolves itself around the simple proposition of whether an outstanding member of Congress and an important factor in the Naval Affairs Committee, should continue in his seat, and whether an outstanding member of the powerful Ways and Means Committee shall continue in Office, and three other members whose records are outstanding in the Congress of the United States.

Now, they are being ripped out by the simple procedure under Senate Bill 272. This is not only an affront to the City of Philadelphia, but is an insult to the Commonwealth of Pennsylvania. It is a national tragedy, the finger of shame shall be pointed for many years at the Republican party in Philadelphia and Pennsylvania.

Mr. Speaker, I am afraid that Senate Bill 272 will come back to haunt the Republican Party in future years, for the people of this Commonwealth shall call them to task for this iniquitous bill.

Mr. BENTLEY. Mr. Speaker, we are still talking on Senate Bill 272, the Congressional ripper, for that is just exactly what it is. It is another in a long series of acts which has been the principal if not the only concern of the Republican party in this Legislature since it began in January of this year. I think every Member on the other side of the House owes it to himself and to his conscience and to his constituents to turn back to those early days of the session, and he can do it very easily by looking in his Legislative Journal.

Let him turn back to the Legislative Journal for January 26, 1943 and look at the record of promises, of statements made to this Legislature, to the people of Pennsylvania and to the nation by the head of the Republican party when he addressed this House in joint session assembled.

I am not going to read at any length; in fact I shall not read at all from the Governor's speech to the joint session on that date, but every one of you owes it to himself to look at that frame work of promises and try to square it with your action and your votes in this House since that time. The Governor in his entire speech condensed this thought, that we were not here to play politics, we were here to further the war effort, we were to try to unite, forget our political differences and do a job that we at least need not hang our heads in shame beside the men who are giving their blood this very minute for democracy in this country.

Now, what have we done? How can we justify what we have done since that time? It cannot be done, and I defy any man on the other side of the House to justify the action that is chargeable to you as the majority in the conduct of this legislation to date. Today we have another, one more piece in the jigsaw that you are putting together, and this is worse even than that the rippers that have affected in the state, because in this bill you affect our nation. You strike at the very foundation of the structure of democracy, because you take away from the people the things that we are fighting this war for, and what our democracy is founded upon. You take away from them the right of representation.

The Republican party and the majority leadership has been guilty of hiding behind the fog of this war to obscure their invasion of the people's rights, and they are guilty also of using the war as a means to hide their shoddy political treachery. The Republican party has relied upon the national concern of our people with international events now taking place all over the world to provide them with a cloak and a cloud of silence and obscurity. With the mush of hypocrites they have come here with fine protestations of their desire for a harmonious non-political session. Piously they have spoken of a desire to win the war and of our hopes for national unity. Those were fair promises, and we accepted them as such. There was only one flaw; they were never meant. The Republican party and the Republican majority of this House is not concerned with winning the war; you are concerned with winning a war against the Democratic party in Pennsylvania, that is all. You are not here to contribute to unity, you are here to create discord, to stir up party politics, to grab patronage, to pass sneak ripper bills and to disfranchise Pennsylvania voters. You are here to pay off debts, election debts, and to serve the very men who own you, to dip your hands into the pockets of the people of Pennsylvania to help the utilities and the oil gang and the Manufacturers Association, the very people who financed your party and bought your elections for you.

You are here to hold committee meetings unannounced and to hold them in telephone booths and to put bills out on the floor of this House without a moment's consideration by the Members whom the people sent here to study and to scrutinize legislation.

I need go no further than to refer you to today's outpouring of bills to illustrate what I mean by that. You have in the past so dominated the House and the Senate of Pennsylvania that you sit in the majority, and now today you are here trying to do the same thing to the Congressional delegation from Pennsylvania. You cannot win elections as you please, you cannot even buy them all, so you are resorting to legislative juggling to bring you election victories in Congress that you cannot get by any other means. You want to divide this state on the old rotten borough system as it once existed in England, and you want to govern our country with men who do not represent the people of the nation.

You come into Pittsburgh in your Senate Bill 272, you come into Allegheny County, and you skip up and down and all over the map in order to get districts in which you can win, and make a one hundred percent majority in the county look like a minority in this bill. You span rivers and you delete adjoining wards, and the only rule that you follow is to isolate, to separate and to discriminate against Democratic voters and the Democratic areas. You segregate out the Democratic voters of Pennsylvania and you fill them in from across the Monongahela River and from across the Allegheny River and you create a district which contains every,—and I mean every—single heavily Democratic ward in the city of Pittsburgh. You forget about the disproportion in this so-called apportionment bill, Senate Bill 272, that exists in Luzerne County and in the intra-central county districts. There you have districts in which two Luzerne County voters equal one Pennsylvania voter. You are not trying to reapportion the state, not honestly; you don't dare to, because you don't believe in, nor do you trust democracy and the people.

Now, gentlemen of the Republican party, you of the majority are too busy tearing up Allegheny County and Philadelphia County and other Democratic areas so that the Democratic majority in those counties is dissipated to create a crowding together of unnatural, ungeographical districts.

Let me just point out to you what I mentioned yesterday, that this bill, gentlemen, in Allegheny County, creates one district with one hundred five thousand registered Democratic voters and forty-nine thousand Republican voters. There is as silly a piece of gerrymandering as any of you will ever run across. It cancels out the vote of that over-whelming Democratic majority so that they do not apply as they should to the general representation of Allegheny County in Congress.

You are enacting in Senate Bill 272 a law which sets class against class and city dwellers against country dwellers, manufacturing districts against residential districts, and that is not the principle upon which this country was founded. It was never intended that class be set against class; rather a representative in Congress should represent a cross section of all types of people who legitimately populate his district.

You are creating in Allegheny County preserves where the Republican minority of that county may exist pure and lily white and send Republicans to Congress who do not under any application of democracy deserve to be in Congress. As I said, you are setting up a system in Allegheny County in which its one hundred thousand majority will elect only two out of that county's five Congressmen. It is a travesty on democracy, it is a mockery of everything we were fighting this war to preserve, and what you do in Allegheny County you do in the other counties of this state where it suits your purpose so to do. This Congressional bill insofar as it affects Allegheny County is the bill of the young Republicans, those young Republicans with old ideas of patronage, power and many in jobs. Those so-called young Republicans, most of them between forty and fifty, are perennial candidates for office in Allegheny County, and everytime they stick up their heads the people chop them off. Those young Republicans go into their Republican primaries and see what they can get from the Republican voters. Most of the time they are set down. Ask the Republican County Chairman and the Attorney General of this Commonwealth what kind of people they are. But if they are lucky enough to be nominated, almost invariably the general electorate takes great pleasure in defeating them, as they did their candidate for mayor and their candidates for congress last election.

Now, Senate Bill 272 has been drawn in Allegheny County to the measure of those defeated candidates whom the people have already rejected. Its only purpose is to return to Congress two men who so conducted themselves in that body that the people of their districts rejected them because they were men who submerged their patriotism to their pacifism; their love for their country was submerged to their hatred for their President.

We have a country dedicated to the principle of majority rule. I subscribe to that. We have another sacred principle, that is the protection of minorities in all their rights as American citizens. I subscribe to that. The day that this House uses its power like a Hitler Reichstag to take away from the people of Pennsylvania the right to elect congressmen to represent the people's will, we strike a treacherous, and assassin's blow at the American system of representative government, of democracy as an expression of people's will.

That is what is going to be done here today, because I have no delusions as to what has happened on the other side of the House. The orders have gone out and Senate Bill 272 is going to be passed, but I say to you men on the other side of the House, hold up your heads when you are alone in your room at night and say to yourselves that you have passed a proper bill. You can't do it.

One further argument should be made, Mr. Speaker; it has to do with the constitutionality of this bill. It is provided that after every decennial census there must be a reapportionment of congressional districts to conform to that census. That has been done in Pennsylvania, and you are today here facing a second congressional reapportionment bill within two years. In my opinion the legislation is clearly unconstitutional; you cannot so do. But that has never bothered the Republican majority on the other side of the House. Constitutional or unconstitutional, ripper or zipper, the only thing that matters is that the orders have gone out. You will have your Senate Bill 272, and I wish you well with it, but, gentlemen, the day will come when everyone of you will rue the activities that are represented in this type of legislation. I hope that some of you are here to see it.

Mr. SARGE. Mr. Speaker, it was not my intention to waste any time on discussion of this bill. However, as a member of the Legislature of Pennsylvania and as an American I cannot sit here and let a portion of the remarks of the representative from Pittsburgh go unanswered. I have one boy in the Army, serving in Australia and one in Africa. The only two sons I have, and I resent the reprehensible, the irresponsible and un-American statements by the representative from Pittsburgh when he says the Republicans are not interested in winning the war. I hope he will request that these remarks be stricken from the record.

Mr. PETROSKY. Mr. Speaker, Senate Bill 272 is before us today for consideration and final vote. May I say to the membership of the House that the people of labor are vitally interested in this Congressional Reapportionment Bill, and as an example I cite you the fine Congressional representation that we received from the Congressman of the 28th district in Westmoreland County, a man who is a credit to those fine boys who are in the service. Yes, wouldn't it be very nice for us to feel that we would in the future as well as in these trying times that we are in today, have such Congressmen representing the people and representing the welfare of the nation in this, which is the most important crisis that we have been in at any time in our history.

I must say that I have to term the bill that is before us today a very vicious bill, aimed at labor and labor's representation in the legislative halls of Congress, and while I do this, may I place each and every party who is opposed to this measure in his proper category. May I say that I am going to narrate to you how those who are proposing this measure and those who are supporting this measure can be placed in certain brackets which have been known in the public press and as we have had in every day of life as we have had it in the past. Those people supporting this bill can be classified as Roosevelt haters, even to the extent at this time of bucking Roosevelt's war program from the inception of this war up until this date.

Then again we have the New Deal haters, those who hate reform, those reactionaries of high finance and big interests. Those are the gentlemen who are interested in this measure in order to outlaw the representatives of the common people in the congressional halls.

Then we have the Britain haters, those who have a fictitious grudge, carrying it here to the detriment of democracy and the principles of our government. Then we have of course the Russia haters, those who are usually called Red baiters, and certainly no definition is needed to explain the term.

Now again we come to the labor haters, and certainly I must say to you that the way this congressional reapportionment bill is drawn up, those people who have been placed in this category time and again are today endeavoring to deny to the common peopple of labor representation by gerrymanding these districts so that a great majority of these people could have one representative, and yet in those districts where they also have a majority and they demand representation in the legislative halls, they are gerrymandered out of this representation due to the writing of this amendment that is before us.

Those people are the more-profit crowd. The National Association of Manufacturers have put their stamp of approval on this bill, and so it is before you to vote on the same and consider the same on its merits.

Then we have the foreign haters, those super-patriots, the militarists and those who have been cited in the press and the daily walk of life as such.

Then the civilian haters, those who have set themselves up with Storm Troop tactics, yes, right among us right here in Pennsylvania, who would take up the tactics of the storm troopers.

Then we have the haters of democracy, those fifth columnists who are so interested in creating disorder to disrupt the morale of our government.

Then we have last but not lease the Democrat haters, those men, I should say, such as Taft and Vandenburg, those men who have their eyes set for the presidency, and who feel by the writing of this bill that they will be enabled to gather a greater vote in the state of Pennsylvania.

Mr. Speaker, it certainly is a shame that such representatives as McGranery and Bradley of Philadelphia must be gerrymandered out of the halls of Congress, where they have so ably represented labor and the common people of their district and of our state and of our nation.

I certainly say to you that this bill is unjust and unfair in every principle of business and the right and principle of American democratic government.

The critical job facing the Assembly of the Commonwealth of Pennsylvania when it convened this year was the job of mobilizing the people and the resources of this Commonwealth in our victory effort. Instead of addressing itself to a program to carry out this job, the Assembly has so far been given over to disruptive attacks on labor and the working people by attempting to gerrymander them out of office by denying them the right of representation in the halls of Congress.

The present trend of legislation in this Assembly is making a mockery of the pledge of the Governor of the Commonwealth, who is the responsible leader of the party in power, that his administration and his party would be dedicated to a win-the-war program, while here we see a measure which is destructive to the morale of the people, disruptive to the morale of organized labor that is doing such a great job in production that it is not only noted on the home fronts but also on the battle fronts all over the world.

Thousands of organized labor representing many thousands of production soldiers in the great steel, shipbuilding, electrical, machine, plane and tank, textile, clothing, aluminum, glass, leather goods and other industries demand that the Assembly of this Commonwealth get down to business and pass a congressional reapportionment bill that will be adequate, that will be equitable, that will give to the people of the Commonwealth the right to proper representation in the halls of Congress.

Mr. O'CONNOR. Mr. Speaker and members of the House, as I have always been taught, portly people are especially noted for their good nature, but there are some things that I will not take and cannot stand, and one of them is that because of the fact that I am to exercise my rights as an American citizen and as a father of two boys who enlisted in the service of their country, I am not going to stand for any man standing up in this House to call me a Roosevelt-hater and New Deal hater and a Communist because I vote the way I think is right.

I would like to ask any of the Democrats since when it has become unpatriotic to be honest in your convictions in your legislative duties? You will recall that two years ago when I spent days and days time to apportion the Commonwealth of Pennsylvania into honest geographical districts, I never attempted to divide the counties of Allegheny and Philadelphia for the very reason that I considered myself incapable of doing so, and I always left it to the members of the Legislature from those two counties to suggest their own congressional districts. If they are dissatisfied today in those congressional districts that is their business and not mine.

I have no fault to find with them for voting for what they think is right in their own districts. That is what I have consistently done since I have been in the House, and what I am going to do in the future. Anyone who wants to call me a Communist need only to turn to the Legislative Journal of July 10, 1941 when he will find my answer to Communists in the letter which they had sent from Philadelphia in which I did then as I do now denounce them as a political party and say to them that they should have no legal status as a political party anywhere in the United States of America today.

I also ask the Members of this House that may have any doubt in their mind as to my record as a labor member in this House, to read the Legislative Journal and see if I haven't been as consistent as any other Member in supporting the policies of organized labor, because, Mr. Speaker, I am a member of the United Mine Workers Union and I am sent here by organized labor to represent them.

I also want to call the attention of the Members of this House that at the special session of this Legislature in 1942 the gentleman from Cambria, Mr. Chervenak, the gentlemen from Cambria, Mr. Owens and the gentleman from Cambria, Mr. O'Connor were invited to the Speaker's office to discuss the then pending reapportionment bill. In the Speaker's office at the time were the Speaker of the House, the Democratic Floor Leader and certain members of the Rules Committee. We discussed the then pending bill, and we were informed very emphatically that the 27th Legislative District, of which I am a member, should be changed, but that they couldn't change my district without making certain changes in Philadelphia County, therefore those distinguished gentlemen asked the three gentlemen from Cambria not to vote for the reapportionment because they stated that they wouldn't vote for it if they were in our position, but they asked us also not to oppose the bill on the floor of the House. Those of you who were here will recall that to oppose the bill on the floor of the House was impossible. The gag rule was resorted to, parliamentary tricks were resorted to so that none of us got a chance even to have our amendments considered or to speak for or against the bill.

The present bill does change my congressional district. From our already second largest district in Pennsylvania, with approximately four hundred thirty thousand population, it takes the County of Jefferson, which not only greatly reduces the area that our congressman has to traverse, but also takes from us a six thousand Republican majority. It leaves as the situation stands the three counties of Cambria, Armstrong and Indiana with a population of about three hundred seventy-five thousand. It is not what we want. I asked the members of the Congressional Reapportionment Committee to leave Cambria County united with any one county. They responded by taking one county from our district. It is not what we want, but it is a step in the right direction, and therefore, Mr. Speaker, I wish to assure you and the Members of the House that when the roll is called I am going to vote for this reapportionment bill.

Mr. OWENS. Mr. Speaker, I have no fault to find whatsoever with my colleague from Cambria, Mr. O'Connor, as far as his stand in this matter is concerned. However, I shall vote "no" on this bill. I shall vote "no" on this bill for the simple reason that our district still has 75,000 people too many. I shall vote "no" on this bill for the simple reason that I consider this bill a vicious bill, a vicious reapportionment over this state. I shall vote "no" on this bill because after all, I must have the interests of all the people at heart in this state, and not alone the interests of my own district. If I took my district and considered it only against the wishes and against the very principles of the people throughout the Commonwealth, I'd feel I were at fault.

I have no fault to find with Mr. O'Connor's stand. I know that he is sincere, and my stand is just as sincere as the others. I thank you.

Mr. WALTER E. ROSE. Mr. Speaker, I would only like to take a few minutes to point out and have my remarks follow those of my colleagues from Cambria County, that contrary to the statements made by the previous speakers relative to gerrymandering and grabbing of offices, this fill affects my Congressional district adversely from a political standpoint. That is, it does cut away from our district a county which has always voted solidly Republican, and it has been responsible for the election of the Republican Congressman from our district. If we were grabbing, if we were gerrymandering, we wouldn't have done that, we wouldn't have allowed that county to be taken away from us. But, gentlemen, I say that our district was too large, we were not entitled to that and I want the records to show that the men from the district affected recognize that fact and are going to support the bill in its entirety, with this evidence of the sincerity of its draftsmanship.

Mr. LEVY. Mr. Speaker, when Senate Bill 272 was on second reading yesterday afternoon I had the opportunity of questioning the leader of the Republican party, and I want at this time to take the opportunity of thanking him for his courteous answers. After questioning the Majority Leader I have become increasingly convinced that there is no more consistency in the attitude of the party in power relative to congressional apportionment than there has been all session. I say this, Mr. Speaker, because this bill like no other, strikes at the very root of what the gentleman from Lebanon so aptly described as our democracy. I say to you, if there is one bill on the calendar this session that we must, as one of the speakers before me said, raise our heads high in a room alone with ourselves and say to ourselves "Are we giving the people of Pennsylvania what the people of Pennsylvania should get, or are we giving the political power in Pennsylvania and the minority in the United States the things that they think they so justly deserve?"

I am a bit fearful, Mr. Speaker, this afternoon because of the fear that emanates from a bill that strikes at the root of democracy. I am very much afraid that the answer given by the Majority Leader yesterday afternoon was so much in accord with the party with whom he associates himself, the party, gentleman, that proclaims that isolation is finished, but that we should have a return of real state rights. I am very much afraid that the Majority Leader's answer to my questions yesterday coincides too much with the thought of the Republican party in the nation that we are getting ever so close to London, but we must be so far away from Washington. I am afraid also, Mr. Speaker, that the Majority Leader's answer coincided too much with the Republican philosophy that the world around us is shrinking, but content that the country is getting bigger. I know and they know that their orators in Washington have cried out that the world must solve its problems as one, but that they hold America can solve its problem in fractions. They are turning outward and inward simultaneously, a contortion perhaps attended with risk. They see new American airlines in Congress, spanning the whole of a shrunken world, while each town and state in this country makes its own rules concerning labor regulations and concerning industry and competition.

I say, Mr. Speaker, like Senate Bill 274, this national pattern is being evolved in the nation by the Republican party, a vision as big as the world and as small as a dot, large enough to ride on and handy enough to keep in your pocket. I say then in answer to the gentleman from Lebanon, that is the fear that arises, that is the fear that emanates from one's soul and body when Senate Bill 272 makes its appearance.

Mr. Speaker, I will tell you something further. The Republican party in Congress says that we must take care of the boys when they come marching home, and also that we must weed out every alphabetical agency in the United States. In other words, the Republican party nationally, like the Republican party under the leadership of that great soldier Edward Martin, says we must do more with nothing; we must have child care with no money. We cannot take care of the boys when we force out of office and out of governmental bureaus the only officials who are qualified and who are trained to take care of them. This government of ours they say must stop giving orders to private citizens, and also that after the war when we get rid of Mr. Roosevelt we are going to need compulsory peace time military training to be safe in the world though separated from it.

Yes, Mr. Speaker, they promise the individual is going to be as free as the air though dressed in khaki and buttons. They appeal for an America entirely free to do business anywhere but have obligations nowhere. I say to the gentleman from Lebanon, we can't do business like that. In America where everybody will be taken care of, they must be taken care of by somebody, not nobody. An America in which we shall be allowed to lead our lives, they say except when we take a couple of years out for compulsory military training to make it safe for the Republican isolationists to lead their own lives.

What has this to do with Congressional reapportionment? I would say without the presence of Senate Bill 272, nothing, but when the Republican party in Pennsylvania attempts to gerrymander into position a bill which will oust from office five Democrats and replace them with five Manufacturer's Association-dictated Congressmen I say these philosophies must be brought to light and I charge this afternoon, Mr. Speaker, that on the entire side of the majority there is not one man who can rise and refute that statement, because the statement is in the record. The Minority Leader read it. The Republican record before Pearl Harbor is atrociously un-American. It is only because of December 7, 1941 that they have crawled back into their shells afraid to come out into the light, afraid that possibly now when it is over their drastic and tragic words on the floor of Congress might be printed in the pamphlets and newspapers of the United States.

I say to you, Mr. Speaker, this afternoon, in America where we won't change a thing in our democracy, the soldier boys, when they return, will find someone is not telling the truth. Only three days ago the Republican minority in Congress,—and let me make this clear, gentlemen,—they only need another seven to make it solid, ripped out from the government of the United States, that great humanitarian organization, the Farm Security Administration which would give to the boys who come marching home an opportunity to buy a small farm if they needed it. Why don't the Republican leadership be honest? Why don't the Republican leadership be sincere? This bill is written by the manufacturers and utilities of Pennsylvania. They want to make sure that in the next election, even if Franklin Delano Roosevelt is no longer a candidate, or is a candidate, the Republicans in Pennsylvania will send utility and manufacturing stooges to the halls of Congress. That is what this bill means, nothing more and nothing less.

I asked yesterday afternoon of the majority leader to explain to the House why in the third district of Philadelphia this genius of a legislative committee decided that the third district with two hundred seventy-two thousand more population had to have annexed to it seven more Republican wards? What was his answer? His answer was "We'll take the blame. We are willing to go before the bar of public opinion." I say to the Majority Leader this afternoon, beware that the bar of public opinion doesn't become so weighty that they may take out of the Legislature the right to make the proper reapportionment legislation laws.

I say, Mr. Speaker, let the Majority Leader this afternoon answer to the Democratic party and answer to the people of Pennsylvania why the third congressional district in Philadelphia must have three hundred forty-nine thousand people and the eighteenth district, a safe Republican horseneck, bottleneck district, have only two hundred four thousand?

Gentlemen, that is not philosophy, that is figures of the hardest kind, and I charge, and I defy the Republican leadership this afternoon to answer that question.

Yesterday we heard very audibly the Speaker of the House say during the discussion of a bill, and I believe it was this bill, "Let us forget about the war; let us talk about this bill." I say to you, Mr. Speaker, this afternoon, you cannot debate Senate Bill 272 without debating the war and all its horror. You can't talk about the boys away in foreign countries without talking about the trick of the Republican party in trying to unseat five decent, liberal, honest-to-God representatives of the people and supplanting them with five stooges of the utilities and manufacturers to whom Governor Martin owes his allegiance. And tie that one to your kite strings.

Let me say in conclusion, and I am not going to cite, I am not going to talk about the message of the President of the United States, I am not going to read from the Congressional Record about what a Democrat congressman said; I am going to read to the House what the leader of the Republican party in the United States has to say in his recent book that just came from the printing presses. You heard a lot, gentlemen, this afternoon about minority rights. Let me tell you what Mr. Willkie says about minority rights. Oh, I know there are a lot of Republicans who say, "He is not the leader of our party." There are a lot of Republicans who want to wash the odor of Willkie from their linen, but I say to you gentlemen that he was your presidential candidate in 1940 and he is the titular head of the Republican party until the next candidate is chosen in 1944, so tie on to these words, let them sink in before you cast your vote. He just came from a trip around the world. He knows what he is talking about. Mr. Willkie says, and I quote from his book:

> "To suppress minority thinking and minority expression would tend to freeze society and prevent progress, for the majority itself is stimulated by the existence of minority groups. The human mind requires contrary expression against which to justify its position. We now, more than ever, must keep in the forefront of our minds the fact that whenever we take away the liberties of those whom we hate we are opening the way to loss of liberty for those we love. Let us not tear it asunder, for no man knows once it is destroyed where or when men will find its protective want again."

Mr. GATES. Mr. Speaker, I rise to defend not only this bill but I rise to defend the Governor of the State of Pennsylvania, although he needs no defense. Governor Edward Martin prior to the time he was elected governor had served this state in many capacities as a marvelous statesman, and my friends, he has served his country as an honorable soldier; he spilt his blood on the battlefields of France for our country, and now my friends, his only living boy is serving in the army forces of our country to do his bit and follow the leadership of his illustrious father and to give his all if need be for this country that we all love.

Why, you Democrats have in my opinion sunk to a new low in the calling of names, and I join with my colleague, Mr. David Sarge, in asking that you expunge from the record certain terrible statements made on the floor of this House today, namely that we on this side are hypocrites and that we on this side are not interested in winning the war.

Men, statements like that only come when your temper is high; I do not believe that you meant that particular type of statement, and I think you should in all honor expunge from the record those two particular statements. We know that when this session started there seemed to be an agreement between the leaders of my party and the leaders of the opposite party that we should have an orderly closing in this House, and when that agreement was made the Democrats knew that it has always been the prerogative of the majority party to put into effect certain legislation that they deem wise and well. But just as soon as one piece of legislation came up in the Senate of Pennsylvania that did not meet with the approval of one particular leader in the State of Pennsylvania, they forgot all about their solemn promise and their solemn pledge to the boys over there, and they treated that pledge as a scrap of paper. I wish, my friends, that every voter in the state of Pennsylvania, both Democrat and Republican, could have been with me last Monday night as I walked over to the Senate of Pennsylvania. There I saw a scene that made my blood boil. I saw a gentleman by the name of Jaspan from Philadelphia making a mockery out of the Constitution of the United States, the most sacred document in the history of American independence. I say to you that if that is the type of statesman that you send from Philadelphia, then God speed the day when you do elect Republicans from Philadelphia.

The Republicans are willing and ready to stand on the record and rise or fall on the bills that we put through this House. I heard the Minority Floor Leader quote from General Ulysses S. Grant, and might I also quote from that great general, that if you intend and do continue these contemptible methods of interfering with the legislation of the state of Pennsylvania, we too can say with General Grant that "We will fight it out on this line if it takes all summer," and I say that we will continue to stay here.

You have also said that you elected a Governor but once in the last half century, and God knows, men, that proved to be just once too often, because the voters of my state went to the polls, they marched from the country districts down over the hills and the vales and the valleys to repudiate a Governor of that type, and they placed once more in the sacred halls of the government of Pennsylvania a Republican. I believe that I say honestly, if you continue the methods that you are using, never again in the history of the Keystone state of Pennsylvania will you see a Democratic Governor of the state of Pennsylvania. I heard Mr. Petrosky, and I have great respect for him, talking to you about labor. I do not know a man either on that side of the House or this side of the House who has a better record in the humanitarian affairs of the men, women and children of this Commonwealth than I have, and I certainly ask you to try and find on the record, and disprove that statement, but may I say to you that the Republican party of the state of Pennsylvania has been the greatest friend of the laboring man in this state.

Why, 'way back in 1915, when there were no pressure groups in this country it was a Republican House and a Republican Senate and a Republican Governor that enacted into law the Workmen's Compensation Act. I ask you who placed on the statute books that law of Mothers Assistance? It was a Republican House, a Republican Senate, and it was signed by a Republican Governor.

Then I ask you my friends, who placed on the statute books of the state of Pennsylvania the pension for the unfortunate blind of our state? My friends, it was a Republican House, it was a Republican Senate and it was enacted into law by the signature of a Republican Governor.

And then last, but not least, it was a Republican House and a Republican Senate that gave to the great Keystone state of Pennsylvania its first Old-Age Assistance Act, and that too was signed and enacted into law by a Republican Governor of the Commonwealth of Pennsylvania. I plead with you men on the other side as I did on the 22nd day of February when we were commemorating George Washington's birthday, to forget once and for all any political bills that you dislike; let us get along, not as Democrats, not as Republicans, but as full red-blooded Americans to give everything and to give our all in helping win this particular war.

I was amazed that on the day prior to the closing of the greatest loan in size that was ever floated in any country in the world when this government of ours inaugurated a loan of thirteen billion dollars, that on the night prior to the starting of that loan one man in the Democratic party forced you in your caucus to start a filibuster that he knew and you knew would interfere largely and greatly with that loan.

However, this morning, from the last reports I had on the loan, we only need about three billion dollars more, and pray God before the time expires the men and women of this government will arise and subscribe the full thirteen billion dollars, so that the very best equipment that money will buy shall be sent to your boys and to my boys and to your girls and to my girls in helping to end this terrible crisis that concerns us all.

Some of us may have thought we were Republicans and Democrats, and that we are important cogs in this machinery to put over this loan. It has been my great pleasure to have served in every loan for 25 years that was used for war effort and I think I helped, maybe, in the first war loan because I have evidence of that from the United States Government, but yet because one man in the state of Pennsylvania disagreed with some of the Republican leaders, you stopped me and you stopped many other men in this House from taking their proper place in helping to float this loan.

I plead with you from the earnestness of my heart, not from my mind, to forget this petty politics and let us pass the legislation that you know will eventually be passed, and let us go home and bend every effort we can to stop this great, cruel struggle.

Mr. BRETHERICK. Mr. Speaker, I want to express my deep regret for having to sit as a Member of this House and to have heard here today a shameful concept of what democracy is. The gentlemen on the other side of the House have run the gamut of their emotions in heaping vituperation and abuse on everyone, from the Governor of the State of Pennsylvania on down. Everyone who does not agree with them has been castigated today, there has been hatred and bitterness expressed against every one of them; they have played class against class, they have preached hatred against people and last but not least, and I have listened attentively to what they had to say, they booed one of the gentlemen on this side of the House who was expressing his patriotic feelings before this House.

Gentlemen, I say to you that democracy has fallen to a low state here this afternoon. The gentlemen on the other side of this House have demonstrated better than anything else they could have done or have said that something must be done in order to rid, not only Washington, but the state of Pennsylvania of that type of representation. I am an ex-serviceman and I am the father of two sons in the service. The gentleman from Allegheny, Mr. Bentley, made the lowest, vilest and dirtiest statement that has ever been made on the floor of this House when he said that the Republicans have no interest in winning this war. On the seat of a Member just one row in front of him is an American flag. On the rostrum on the right is another American Flag. The gentleman might look at those flags and hang his head in shame. Remarks such as were made by him would have been better made from a dungpile rather than from the floor of this House.

POINT OF ORDER

Mr. MODELL. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. MODELL. Mr. Speaker, the gentleman is making personal accusations on the floor of this House and I think he is out of order.

The SPEAKER. The Chair agrees with the gentleman from Philadelphia, however, that has been the trouble all afternoon. The Members will forget personalities and confine themselves to the question before the House. The gentleman will proceed.

Mr. BRETHERICK. Mr. Speaker, I am sorry that the Speaker did not see fit to enforce that ruling prior to this time. However,—

The SPEAKER. The point of order was raised. The Chair is not taking to task the gentleman from Delaware, but personalities must not be indulged in on the floor of this House. The Chair asks the membership to abide by the rules. If the Members want to fight, they can do it out on the highway and not on the floor of the House.

Mr. BRETHERICK. I want to say that I agree fully with the Speaker, but I do not like the gentlemen on the other side to deliver low punches and expect us to stand here and take them, because we don't do business that way.

I asked the Members of the House yesterday to consider this bill and the amendments on their merits. I was perfectly willing to discuss it on that basis, but when the gentlemen on the other side stoop to the mud gutter we have to protect ourselves. However, out of respect to the Speaker, I am going to try to discuss the bill on its merits.

There has been, and I say it again as I said it yesterday, an honest attempt on the part of the Republican party to comply with the definite constitutional requirements in apportioning the state of Pennsylvania. The gentleman from Philadelphia, a former classmate of mine, and a former classmate of Representative Cohen, Congressman McGranery, has indicated that a foul blow has been struck in taking a congressman from the city of Philadelphia. The gentleman swore to uphold the Constitution of the United States and he is perfectly willing to violate his oath of office and see the Constitution trampled upon in order to get the city of Philadelphia one more congressman. I am not going to get into a long harangue about gerrymandering because I do not think that there has been any gerrymandering. The gentleman from Philadelphia and the gentleman from Allegheny I think satisfactorily explained to the Members of this House yesterday what has been done and the justification for it. The gentleman from Philadelphia, Mr. Cohen, read a statement by Congressman Eberharter in which he said that there had been a tacit,—which of course leaves a lot of leeway,—a tacit agreement by the committee which framed the apportionment bill in 1942, to the effect that the apportionment bill was to stand for a period of ten years. I say to you Members of the House that that is a false, a misleading and a deliberate misstatement. No such agreement was entered into, even tacitly, if we can define just what tacitly means. It is a weasel word, used for the purpose of creating the impression that something was done which was not done. I could discuss this bill on the floor of this House for the rest of the afternoon. There was a great deal of controversy regarding it yesterday, too much of it, gentlemen, and in too low a manner this afternoon. I am going to terminate if I may, at least as far as we are concerned, the controversy with regard to this bill. I am going to say to you that the majority party should prevail, even in war times. We of the Republican party were elected by the people of the state of Pennsylvania. We are expected by the people of Pennsylvania to frame legislation, having always in remind due regard for the rights of the minority, if you please. No government should function without giving due regard to the rights of the minorities, but we on this side must assume the responsibility as the majority party.

However, when you come to ask us to adopt your plan, when you come to us to do what is your bidding, then I say to you that we would have failed to live up to the oath and obligation which we took, and we would have failed in the duty which we owe to the people who elected us. I ask every Member of this House, I ask the Democratic Members who are in favor of this bill to vote for it in its present form.

Mr. BENTLEY. Mr. Speaker, I have apparently created some emotion or other feeling on the other side of the House by some remarks that I made. If my observation that the Republican party was not interested in the war, or interested in the winning of the war, created a personal affront to any member on the other side, I regret that, but if their party's actions to which they subscribed, created a stench that indicates that they have no interest, I cannot help it. I do not propose to expunge my remarks from the record; I do propose to let the record answer the remarks of the gentleman. Let me run over, and I have been doing this while this discussion has been going on, very hurriedly,—let me run over the record of this Legislature from January to date, and it is not a complete record. As I said I had to go over it hurriedly, but after this—

POINT OF ORDER

Mr. HARE. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Somerset will state his point of order.

Mr. HARE. Mr. Speaker, the gentleman is not speaking on the question before the House. What is sauce for the goose is sauce for the gander.

Mr. BENTLEY. I agree, Mr. Speaker, and I will have to answer it at a later date.

The SPEAKER. The Chair feels that the point of order is well taken. The Chair has been trying to confine the Members to the question before the House, which is the Reapportionment Bill, Senate Bill 272. The gentleman will confine his remarks to the question before the House.

Mr. BENTLEY. Mr. Speaker, I have never raised a point of order on any Member of this House, and if it is a rough-and-tumble debate that they want, I will take it with them. They have raised a point of order on me now, just as they have gagged other Members of the House, and I shall answer them at a later date on a question of personal privilege. I merely want the record to show at this time that their remarks should not go unanswered, and I remind the House that I will be on this floor as soon as we can dispose of this business, to answer the remarks of the gentleman.

Mr. COHEN. Mr. Speaker, I had not intended after I had made my opening remarks on this bill, that the position of the minority would require any further substantiation. We will let the record show that, we will let the record prove overwhelmingly that we are right, but I should like to discuss the matter in a constructive way, despite what the gentleman from Armstrong said when he raised one or two questions with respect to his conception of the effect of Senate Bill 272.

One statement he made was that the type of people,—if I'm not accurate, correct me, and I will apologize,—that the type of people who are sent to Washington by the Democrats, or the type of people who are sent to Harrisburg over in the Senate are not the kind of persons who ought to be legislators. If by such remarks he means to infer that others are of the same stamp, I must take issued and go to the record. Senate Bill 272 reshuffles Philadelphia, and if we are talking about the type of people who ought to be elected into the legislative halls, here or in Washington, let us look at the record. Let us take Philadelphia in the last election and let us see whether or not the Republican party really thinks it nominates for high office in some instances the kind of people that are needed in Washington. For instance, a Democrat represented a district in Philadelphia for six years, three consecutive terms. He was young, he was vigorous, and so far as I know personally and as far as I am told, he did a very good job in Washington. He was defeated the last time and he is now in the army. I saw him just the other day and he told me he has taken his basic training and is off on secret orders. I wished him well, I wished him good health, I wished him a speedy return. The man who beat him was the candidate of the Republican party, and was the only candidate against the Congressman. He happened to be a young, vigorous, astute and nimble young man of seventy-eight years of age, to be sent to Washington in war crisis—a man of seventy-eight. It is no reflection against the man himself, but is a reflection against the choice of the Republican leaders in Philadelphia to place in the Congress of the United States a man who presumably cannot, because of physical limitations, carry on the heavy duties required of every Congressman in Washington today.

Then in the third district where Congressmen Bradley, whose name has been so often mentioned, is serving his fourth term now, as a vigorous, hard fighting Democrat and a supporter of Roosevelt. They sent against him a former Congressman, whose record in the last war Congress, in a Congress that was involved in the first World War, that built up an abdominable and atrocious record in the Congress of the United States. I do not believe that the majority—

POINT OF ORDER

Mr. MAHANY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Crawford will state his point of order.

Mr. MAHANY. Mr. Speaker, I do not think that the gentleman is speaking on the question before the House.

Mr. COHEN. I submit, Mr. Speaker, that we are discussing the effects of the bill.

The SPEAKER. Will the gentleman confine his remarks to the subject before the House? The gentleman will proceed.

Mr. COHEN. Mr. Speaker, I suggest that the debate has gone into the effect of this bill and I am merely answering the statement of the gentleman from Armstrong, who was not stopped or questioned. The statement has been made that tempers are running high and we are trying to get off an awful lot of steam, but I intend to stick to the facts on Senate Bill 272, and I think any answer to the statement of the gentleman from Armstrong Mr. Gates is clearly to the point. I shall attempt not to violate the rule in discussing what this bill will do and what its practical effect will be.

May I say further that if Senate Bill 272 is enacted into law—

Mr. MAHANY. Mr. Speaker—

Mr. COHEN. Mr. Speaker, maybe I affect the gentleman from Crawford, Mr. Mahany; maybe I am getting steam up a little bit, but I will attempt to go on without interruption; give me time to catch my breath. So, Mr. Speaker, I would like to proceed without any further interruptions because I think that this kind of time requires a minimum of excitement and a maximum of thinking, no matter how wrong it may be.

As I was saying, Mr. Speaker, Senate Bill 272 was definitely aimed to attack Congressman Bradley, a war veteran, an expert in the Naval Affairs Committee of the House. It is going to wipe him out of existence as far as Congress is concerned, and in his place, if I read the stars correctly, the Republican party will again attempt to foist on the voters of my district, the third Congressional district of Philadelphia, a kingpin of the party in that district, a former Congressman, John R. K. Scott. John R. K. Scott was in Congress during the first World War and he was absent, I think, every time except thirteen of roll call votes, on two hundred seventy some odd measures that were before that Congress. During the first World War the newspapers of Philadelphia carried screaming headlines about a certain vicious political—and if my memory serves me right, and I stand corrected if it is not so—attempted, let us say, embezzlement, or attempt to do plain political trickery and thievery. That is in the record, and if the gentlemen on the other side are interested, if access is to be had to the files of the old North American, a newspaper in Philadelphia at that time, they will find this record, and if I am wrong I will apologize to the former Congressman from Philadelphia, John R. K. Scott. Now, Mr. Speaker, don't talk about the kind of people we send unless you expect skeletons to rattle in your closets.

Let me say one other thing, on last Thursday night I was at a dinner with a very dear friend of mine, a Republican from Philadelphia, who stands rather high in Republican party councils, who was discussing with me Senate Bill 272. He was discussing with me some of the things that Senate Bill 272 would do, and he discussed with me the types of candidates offered by the Republican party, and he had this to say, that one of the prime requisites for being a candidate on the Republican ticket for legislative duties, and I am not referring to any Member of this House, but I am merely referring to the type of candidates who are selected, exclusive of this House, is first, that you have to be seventy-five, and second that you have to have arthritis.

Now, Mr. Speaker, that is the type of candidate that the Republican party requires for their ticket, and I think in many instances, you will find that to be true.

Secondly the gentleman from Armstrong, Mr. Gates, had this to say, that this is a one-man filibuster, dictated by one man to the Democratic House caucus. I will not tell what went on in that caucus because I think what goes on in caucuses is sacred to the party and what goes on in committee is sacred to the committee, but let me say this, that about two weeks ago today—I have been kicking myself around somewhat because we have been in Harrisburg for a long time and have not been doing much—I went to a movie that night to see John Steinbeck's "The Moon is Down". That picture took me from where I was and knocked me flat down on my back and made me realize what was going on in Pennsylvania, that we in Pennsylvania had not done substantially a thing up to that point and very little since to help the national government or to help ourselves or to help the people to effect a program to win the war. It may be, as the gentleman said, thank God there was only one Democratic administration in the last half a century, and if we kept on going that way, there would be no more. That is O.K. If that be the will of the majority let the record so read and let the future so hold. I said before and I will say it again, and I will say it now, whether or not we have a Democratic governor, whether or not we have a Democratic administration, and even whether or not the Republican party reforms, you will never stop the minority, you will never stop the people from telling what they think.

Mr. ALSPACH. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Muir, Taylor, Cadwalader, Stonier, Boorse, Norman Wood, Imbrie, Ely, James, Fleming, McClester, Kline, Wachhaus, Freed, Flack, Cook, Sarge, McAtee, Erb, Krepps, and others.

On the question,

Shall the main question be now put?

The yeas and nays were required by Mr. Baker and Mr. Lovett and were as follows:

Messrs. Lovett, Petrosky and Maxwell requested a verification of the roll.

The roll was verified and was as follows:

YEAS—119

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—68

Baker,
Barrett,
Bentley,
Bentzel,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Flynn,
Goodwin,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Connor,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Reynolds,
Rose, S.
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

So the question was determined in the affirmative and the motion was agreed.

(During the verification of the roll.)

Mr. LOVETT. Mr. Speaker, may I ask how the gentleman from Armstrong, Mr. Gates voted?

The SPEAKER. The gentleman is not recorded.

Mr. GATES. Mr. Speaker, being in a very embarrassing position, I did not cast my vote one way or another.

Mr. LOVETT. I did not hear the gentleman.

Mr. GATES. Mr. Speaker, I did not cast my vote either aye or no.

PARLIAMENTARY INQUIRY

Mr. LOVETT. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Westmoreland will state his question of parliamentary inquiry.

Mr. LOVETT. Mr. Speaker, if the gentleman is in his seat in the House, is he not compelled to vote?

The SPEAKER. The Chair for the information of the House will read rule 71:

> "Every member shall be present within the Hall of the House during its sittings, and unless he is excused by the House or necessarily prevented, shall vote for or againt each question put, unless he has a direct personal or pecuniary interest in the determinaton of such question, or unless he be excused by the House."

Does the gentleman desire to be excused by the House?

Mr. GATES. Mr. Speaker, it would seem to me under the rules that I have a very peculiar interest because I happen to be the one that would have been stopped from answering the gentleman on the other side. However, Mr. Speaker, if it is constitutional to be excused, I would ask this House to excuse me from voting.

The SPEAKER. Will the House excuse the gentleman from Armstrong, Mr. Gates, from voting? The Chair hears no objections. The gentleman is excused from voting.

PARLIAMENTARY INQUIRY

Mr. LEONARD. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. LEONARD. Mr. Speaker, is it in order to make a motion for the previous question when there is still a Member of the House who has not been recognized by the Chair, who wants to speak upon the question before the House?

The SPEAKER. The Chair would inform the gentleman from Allegheny that the motion for the previous question is a privileged motion and is in order even while a Member is speaking.

Mr. LEONARD. Mr. Speaker, is that a rule of the House or a parliamentary rule?

The SPEAKER. That is a rule of this House.

Mr. LEONARD. I thank the Speaker.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Tate, Barrett and Petrosky requested a verification of the roll.

The roll was verified and was as follows:

YEAS—124

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Bretherick,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Connor,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Tahl,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—68

Baker,
Barrett,
Bentley,
Bentzel,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Cohen,
Coleman,
Corrigan,
Croop,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Flynn,
Goodwin,
Green,
Haberlen,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Brien,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Reynolds,
Rose, S.,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Swope,
Tate,
Thompson,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. LANE offered the following reasons for his vote:

My reasons for voting against Senate Bill No. 272, Printer's No. 245 are rather numerous. I realize that for almost a century the 25th Congressional district comprised the counties of Washington and Greene and under the provisions of the apportionment of the Special Session of 1942, those counties were separated to the great disappointment of the residents of those communities, the present reapportionment bill will reunite those counties. However, under the provisions of the present bill, President Roosevelt will be deprived of the support of at least five congressmen and it is my thought that this is no time to have selfish motives. It is my opinion that the fate of our Nation is at stake, we must make every sacrifice in supporting our Commander-In-Chief.

REASONS FOR VOTE

Mr. RUSSELL E. REESE offered the following reasons for his vote:

My reasons for voting against Senate Bill No. 272, Printer's No. 245 are rather numerous. I realize that for almost a century the 25th Congressional district comprised the counties of Washington and Greene and under the provisions of the apportionment of the Special Session of 1942, those counties were divided to the great disappointment of the residents of those communities the present re-apportionment bill will re-units those counties. However, under the provisions of the present bill, President Roosevelt will be deprived of at least 5 congressmen and it is my thought that this is no time to have selfish motives. It is my opinion that the fate of our nation is at stake, we must make every sacrifice in supporting our Commander-In-Chief.

QUESTION OF PERSONAL PRIVILEGE

Mr. BENTLEY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The Chair will recognize the gentleman later under his question of personal privilege, if he will yield temporarily.

Mr. BENTLEY. Mr. Speaker, does the Chair mean in the next few minutes? I might state to the Chair that I wish my remarks on personal privilege—

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Bentley.

Mr. BENTLEY. Mr. Speaker, I desire to answer the remarks and the actions of the majority side of the House insofar as they refer to the remarks made by myself on the floor of the House. I would like to state further there have been some choice bits of vituperation cast in my direction. I can take that. The remarks ran the gamut from dungheap to sewer and gutter and low punches. I can say that not one of those adjectives can properly describe this very latest action of the majority side of the House. On one of the very important bills of the session they applied the gag rule as they have so many times, by shutting off debate and not answering. That is the oppressive and bullying tactics on that side of the House, and it has every reason to be condemned, and I here condemn it.

Mr. Speaker, let me answer first the charge made by the gentleman from Delaware, Mr. Bretherick, that we on this side of the House are guilty of bad manners and worse for booing the remarks of one of the gentleman on the other side of the House. The answer to that is known to all Members of this House, and I am willing to let the record show it. We did not initiate that kind of action, we did not start it. I was booed when I made my remarks and so was the gentleman from Philadelphia, Mr. Levy, long before the gentleman from Armstrong, Mr. Gates, took the floor of the House. That practice goes back much further than this debate. So, Mr. Speaker, let the record show that we did not initiate that sort of thing, but we will meet fire with fire on this side of the House.

As to the remarks of the gentleman from Lebanon, Mr. Sarge, repeated by several other members on the other side of the House, that I should be ashamed of the remarks I made, to the effect that the Republican party has no interest in winning the war, let us let the record answer that. In the short time that I have had I have glanced hastily through it. Let us look at the legislation that has been presented by the majority side of the House and by the majority of the Senate. That is in answer to the charge that what I said was not true and that I should hang my head. Let us run down over the bills that have been presented, and that is a complete answer to everything that the gentleman has said.

POINT OF ORDER

Mr. CORDIER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Lackawanna will state his point of order.

Mr. CORDIER. Mr. Speaker, the gentleman is attempting to discuss pending legislation. This is not permissible under a question of personal privilege.

The SPEAKER. The point of order is well taken. The gentleman requested the floor under a question of personal privilege. Will the gentleman please confine his remarks to the question of personal privilege?

Mr. BENTLEY. Mr. Speaker, I shall not name the bills by number, but that is a complete answer to the charge that what I said was not true, and therefore it is personal to me and my remarks are personal on it. Further, let me remind you of the Philadelphia Bail Bond bill which was passed in this House—

The SPEAKER. Will the gentleman kindly confine his remarks to the question of personal privilege concerning himself?

Mr. BENTLEY. Mr. Speaker, the point of personal privilege also covered my remarks, particularly the remarks that the Republican party was not interested in the winning of the war. Certainly a party that puts in a bill such as that shows that they are not interested in winning the war. That was their primary purpose in putting in this bill that passed this House. Let any man on the other side of the House undertake to say that that shows their interest in winning the war.

Mr. HARE. Will the Chair please read to the gentleman on the other side who is now speaking, the Rule on personal privilege.

POINT OF ORDER

Mr. COHEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. Will the gentleman yield until the Chair has ruled on the point of order now before us.

On the point of order was raised by the gentleman from Somerset, Mr. Hare, the Chair will read for the information of the House, Rule 67:

> "Personal Privilege. Any member may rise and explain a matter personal to himself by leave of the Speaker, but he shall not discuss any pending question in such explanation. Question of personal privilege shall be limited to questions affecting the rights, reputation and conduct of members of the House in their representative capacity."

Mr. BENTLEY. Mr. Speaker, I submit that that is not pending legislation. That legislation has passed.

Mr. COHEN. Mr. Speaker, the point of order I wanted to raise was that the gentleman from Somerset, Mr. Hare, did not raise a point of order, he made a statement.

The SPEAKER. The Chair will read for the information of the House and for the benefit of the gentleman from Allegheny, the ruling on personal privilege:

> A member rose to a question of personal privilege and the Speaker ruled that unless the question of personal privilege related to the integrity of the member or the integrity of the House, it is not in order.

Another ruling is as follows:

> A member rose to a question of personal privilege. The point of order was raised that the gentleman was not speaking on a question of personal privilege. The Speaker ruled that the questions of personal privilege are first those affecting the rights of the House collectively, its safety, its dignity and the integrity of its proceedings; second, the right, reputation and conduct of its members individually in their representative capacity only.

The Chair will also read decision 156-A:

> A member was addressing the House under a question of personal privilege, when the point of order was made that the gentleman was not speaking on the question of personal privilege. The Speaker ruled the point of order well taken, and in response to a parliamentary inquiry, stated the following:

> 'Questions affecting the rights, reputation and conduct of members of the House in their representative capacity are questions of personal privilege.
>
> 'Questions of privilege of a member must relate to a person as a member of the body or relate to charges against his character which would, if true, incapacitate him for membership, and he is not entitled to the floor on a question of personal privilege unless the subject which he proposes to present relates to him in his representative capacity.
>
> 'A person who raises the question of personal privilege must confine himself to remarks which concern himself personally, and when speaking under a personal privilege a member has no right to defend any person other than himself.'

The gentleman will proceed and confine himself to the question of personal privilege?

Mr. BENTLEY. Mr. Speaker, in my representative capacity I made certain remarks and the integrity of those remarks have been challenged. I propse to go through the record to establish the integrity of my remarks. Nothing can be more personal than that. I pointed out that the Philadelphia bail bond racket bill that—

The SPEAKER. The Chair would again ask the gentleman not to mention that which is not personal to himself. The gentleman will proceed.

Mr. BENTLEY. Mr. Speaker, it must be a very sore spot. Let me establish then by other bills that the remarks that were made, are found on the record. Let me refer you to Senate Bill 255, the parole bill ripper. Wherein does that show any interest by the Republican party to further the war?

The SPEAKER. Will the gentleman yield? The gentleman will confine his remarks to questions personal to himself. If the gentleman cannot proceed in order, the Chair cannot permit him to proceed under his question of personal privilege.

Mr. BENTLEY. Mr. Speaker, I shall stop under the question of personal privilege. I have been gagged very effectively and I propose—

The SPEAKER. The Chair has no desire to gag any Member of this House. The Chair is simply trying to have everybody proceed under the rules of the House.

Mr. BENTLEY. I shall yield then, Mr. Speaker, and ask unanimous consent to address the House.

The SPEAKER. Will the House give its unanimous consent to the gentleman to address the House? Is there objection?

Mr. WALTER E. ROSE. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

Mr. BENTLEY. I yield, Mr. Speaker.

BILL ON FINAL PASSAGE

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. HANNON.

The House resumed the consideration on final passage of House Bill No. 663, as follows:

An Act to further amend Section 2 to amend Sections 3 5 and 7 to add Section 8.1 and to amend Section 11 of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" by reducing the number and changing the manner of appointment of members of said board further prescribing their powers and duties fixing the qualifications and requiring examinations of employes of the board further regulating the making of assessments and valuations of real property and imposing duties on certain county officers and on judges of the court of common pleas

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties" as amended in part by the act approved the twenty-third day of May one thousand nine hundred forty-one (P. L. 49) is hereby further amended to read as follows

Section 2 (a) The Board of Property Assessment Appeals and Review shall consist of [seven] three members who shall be citizens of this Commonwealth and all of whom shall have been residents of the county for at least ten years next prior to [his] their appointment and [four] each of whom shall have not less than [five] ten years' practical experience as a registered real estate broker [or real estate appraiser or assessor one of whom shall have not less than five years' practical experience in securities transactions necessitating a knowledge of the values of stock bonds and other securities one of whom shall have not less than five years' practical experience as a building construction engineer or civil engineer and the seventh of whom shall have not less than five years' experience as a practicing attorney at law or registered real estate broker or real estate appraiser or assessor] in the last fifteen years next prior to his appointment and the last three years of which he shall have been actively engaged in the real estate business within the county

(b) [The members] One member of the board shall be directly appointed by the county commissioners one member by the court of common pleas and in the event that there are within the county one or more cities of the second class one member shall be appointed by the county commissioners on the nomination of the council or councils of such city or cities acting jointly if more than one If there is no city of the second class within such county the third member shall be directly appointed by the county commissioners One of the members of the board for at least three years next prior to his appointment shall have been a registered member of a political party and not more than two members shall be of the same political party

(c) [The terms of the members first appointed shall begin on the first Monday of January one thousand nine hundred and forty-two Of such members first appointed three shall be appointed for terms of six years two shall be appointed for terms of five years and the two remaining members shall be appointed for terms of four years Thereafter all] Of the three members of the board provided for by this section one shall be appointed for a term of six years beginning the first day of January one thousand nine hundred and forty-six one for a term of six years beginning the first day of January one thousand nine hundred and forty-seven and one for a term of six years beginning the first day of January one thousand nine hundred and forty-eight unless the present members of the board shall resign or are removed from office in which event the new board of three members shall be appointed immediately one of the members to serve for a period of six years one to serve for a period of five years and one to serve for a period of four years In all other cases appointments to fill vacancies happening by the expiration of a term shall be for terms of six years [All] and appointments to fill vacancies happening in any manner other than by the expiration of a term shall be filled for the unexpired term only In each case whether or not the vacancy happens by the expiration of a term the appointment shall be made subject to the same requirements as in the case of the member whose vacancy is to be filled

(d) The board shall organize on the first Monday of January one thousand nine hundred and forty-two and on the first Monday of January every third year thereafter or as soon after such days as possible by electing one of its members as chairman and one as vice-chairman who shall also serve as secretary of the board [Both the chairman and the vice-chairman shall be members who have not less than five years' practical experience as registered real estate brokers or real estate appraisers or assessors] In the event the new board of three members is appointed before the expiration of the term of the preent board the new board shall organize immediately upon its appointment by electing one of its members as chairman and one as secretary Each member of the board shall give bond in [such amount] the amount of ten thousand dollars ($10,000) and with surety or sureties as the county commissioners shall approve conditioned for the faithful performance of his duties as a member of the board The chairman of the board shall receive an annual salary of [eight thousand dollars ($8,000)] eight thousand five hundred dollars ($8,500) the [vice-chairman] secretary shall receive an annual salary of [seven thousand dollars ($7,000)] eight thousand dollars ($8,000) and [each of] the other [members] member shall receive an annual salary of [six thousand dollars ($6,000)] eight thousand dollars ($8,000)

(e) All of the members of the board as well as all persons employed by them under the provisions of this act shall devote their entire time to the duties of their office or employment and shall not hold any other [remuneration] remunerative [office or] position [nor be engaged in any other business] outside of his position as a member or employe of the board

(f) No board member shall be discharged for political reasons and no board member shall be discharged until after a public hearing before a joint meeting of a committee to be composed of one judge of the court of common pleas of the county to be designated by the president judge one county commissioner to be chosen by the board of county commissioners and one person to be appointed by the county commissioners upon the nomination of the council or councils of the city or cities of the second class within the county if such there be The charges against the board member shall be made known at the meeting and it shall require a vote of two members of the committee to discharge a member of the board

The members of the board shall meet with the board of county commissioners during the first week of March and the first week of November of each year for the purpose of discussing the operation of the assessment department including a general check on the correctness and equality of assessments the number of appeals the total amount of assessment increase and decreases and to make criticisms suggestions and recommendations to improve the accuracy efficiency and procedure of the assessment department

Section 2 Sections three five and seven of said act are hereby amended to read as follows

Section 3 The board [shall] may appoint to serve at its pleasure [such number of] ninety-five subordinate and ten special assessors and such number of clerks stenographers and other employes as the board shall deem requisite The salaries or compensation of all employes of the board shall be fixed by the salary board of the county and together with the salaries of the members of the board shall be paid out of the county treasury When acting on the salary or compensation of any employe of the board the chairman of the board shall sit as a member of the salary board and the salary of no employe of the board shall be increased or decreased unless the chairman of the board or a member of the board designated by him is present at such salary board meeting The number of regularly employed subordinate and special assessors shall not exceed one hundred and five at any one time and they shall be compensated in keeping with the great importance and responsibility of their duties the minimum salary of each such employe to be at the rate of two hundred fifty dollars ($250) per month All persons appointed by the board shall be qualified according to standards not inconsistent with the provisions of this act adopted by the board and pursuant to such oral and written examinations as [the board shall prescribe] will determine their fitness for the position which they now hold such examinations to be completed on or before September thirtieth one thousand nine hundred forty-three

No persons employed by the board may after September thirtieth one thousand nine hundred forty-three exercise or be given authority to fix assessments or valuations until after they have passed with a grade of at least eighty (80) per centum of perfection a written examination to be given by the board and to be so prepared as to reveal the knowledge of values and the methods of determining them possessed by such persons such examinations to cover thoroughly the field of real estate assessing and appraising

All employes who are given authority to fix valuations or assessments after successfully passing the examination aforeaid shall be required once every three years thereafter to take and pass a similar written examination with a grade of at least eighty (80) per centum of perfection Upon completion of the examinations the questions asked in the examination shall be advertised once in at least one but not more than two daily newspapers published in the county

The board shall have the sole authority to appoint the employes of the board and shall by majority vote reject any [proposed employes] candidates or applicants for such employment who in the opinion of the board are not qualified according to the standards and provisions of this act and pursuant to such oral or written examinations as the board shall prescribe The board shall not appoint employes sponsored by any political organization or any officer of any political organization and may if necessary advertise for competent employes The board shall by majority vote promote demote or discharge any employes in the department who in the opinion of the majority of the board are deserving of such promotion demotion or discharge or who are not needed No employe shall be discharged or demoted for political reasons and when an employe is discharged or demoted the board must give to such employe the specific reason for such action in writing No member of the Board of Property Assessment Appeals and Review and no employe of the board shall be permitted to hold any political office or take active part in political campaigns or elections

Section 5 The board shall establish and maintain in its office a register open to public inspection which shall show the present assessment of all property in the county both real and peronal and from time to time as the same are made all additions thereto and changes thereof together with the signature of all persons responsible for any changes in the assessment or valuation of any such property and the reasons for any such changes Such register shall show by a simple geographical arrangement prepared according to streets where there are streets and consecutive street numbers where there are street numbers the assessed value of each lot plot and building in such a manner that the property owners may conveniently compare the assessed value of their land and buildings with the land and buildings in their neighborhood and shall show on the outside front cover the name of the assessor responsible therefor

Section 7 The board [may] shall divide the county into three districts as nearly equal as possible in subjects of taxation and [may] shall provide that triennial assessments shall be made each year after one thousand nine hundred forty-five but for only one of such three districts during any one year In order to inaugurate such system a triennial assessment [may] shall be made for the first districts which shall include the city of Pittsburgh during the year [immediately following one in which a triennial assessment was made for the county as a whole] one thousand nine hundred forty-four and a triennial assessment [may] shall be made for the second [district] and third districts during the [second year following one in which a triennial assessment was made for the county as a whole] year one thousand nine hundred forty-five

Section 3 The said act is hereby amended by adding thereto after Section 8 a new section to read as follows

Section 8.1 (a) In arriving at an assessed valuation the assessor shall be required to take into consideration three main factors namely sales and holding prices in the general neighborhood reconstruction cost and actual or estimated income When estimating assessment value based on reconstruction cost due consideration must be given to depreciation and obsolescence In estimating assessment value based on income due consideration must be given to repairs maintenance and reserve for replacement of equipment necessary for proper operation of the building The assessor also shall make due allowance for forced sales and high holding prices After having taken the three main factors into consideration the assessor is then required to exercise his best judgment as to what the true actual value of the property is at the time

(b) In assessing new buildings in the course of construction the structure shall not be considered a building until the structure is completed or ready for occupancy and only a nominal assessment of one hundred dollars ($100) shall be carried on such structure until it is completed or ready for occupancy

In assessing a new development or plan of lots which was previously assessed as acreage due consideration must be given to the assessed value of comparable land in the neighborhood even though it may still be assessed as acreage and the assessed value of the lots should not be based solely on the sale price of choice lots in the plan or development

(c) To insure equality of assessments throughout the county each assessor shall annually compare the assessed values in his territory with the assessed value of properties in adjoining territories and at the proper time make such adjustments in assessments as may be necessary to bring about the proper equalization of assessed values

(d) Assessors shall keep up-to-date files of the sales of property which occur in their assessment territory as well as all building permits issued in their territory showing the cost given in such permits and the price paid for properties sold in their territory The assessor shall submit to the board each month a copy of the sales and building permits which occur in his territory which records shall be then bound into and kept as a permanent record by the board open to public inspection

(e) In any case where it is found that certain properties any where in the county are assessed glaringly higher than other properties of equal or higher market value are assessed in any other section or sections of the county such inequality of assessments shall be sufficient reason for the dismissal of the members of the board from office and upon reasonable proof of such inequalities it shall be the duty of the committee hereinbefore provided for such purpose to remove the members of the board from office within ninety (90) days after proof of such inequalities was brought to the attention of such committee or to the attention of the county commissioners and the president judge of the court of common pleas of the county

(f) In any case where after the expiration of one year from the effective date of this act it shall be found that irregularities exist in assessments within the territory of any assessor or that any irregularities of assessment exist between the assessments in one territory and the assessments in adjoining territories such inequalities if not corrected after notice given to the assessor of the same shall be considered sufficient reason for the dismissal of the assessor or assessors involved and upon proof of such inequalities notice given and failure to correct the same it shall be the duty of the board to remove the assessor or assessors responsible therefor from office

Section 4 Section eleven of said act is hereby amended to read as follows

Section 11 When the triennial assessments shall be fixed either for the whole county or in districts thereof notice of that fact shall be given by publication in at least two newspapers of general circulation in the county of the time when appeals will be heard and a copy of the assessments made in boroughs and townships shall be placed in some public place in each such borough or township by the assessor The board shall adopt rules and regulations governing the right to and the holding of appeals and the practice and procedure thereat Such rules and regulations shall become effective only after public notice thereof as herein required in the case of notices of triennial assessments After the hearing of appeals the board shall take such action in regard thereto as may be right and proper and give due notice to the appellant by registered mail

The subordinate and special assessors shall when required by the board attend appeal hearings but under no circumstances shall they be permitted to sit at appeal hearings as a member or as members of the board and it shall be obligatory on the part of the board to display in a conspicuous place at such hearings a sign giving the names of the member or members of the board present and hearing such appeals

Section 5 The members of the board holding office upon the effective date of this act shall continue to serve until the end of their respective terms or until they die resign or are removed from office and the provisions of section two of the act prior to the adoption of the amendments made by this present act shall apply to such members

Section 6 The provisions of this act shall become effective immediately upon final enactment

On the question recurring,
Shall the bill pass finally?

QUESTION OF INFORMATION

Mr. O'BRIEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Philadelphia will state his question of information.

Mr. O'BRIEN. Mr. Speaker, is it in order to call up this bill on page 18?

The SPEAKER. The gentleman has that privilege under Rule 14 of the House.

Mr. O'BRIEN. Mr. Speaker, does the gentleman need unanimous consent to call up this bill?

The SPEAKER. The gentleman does not need unanimous consent to call up a bill from postponed calendar. The Chair will read part of Rule 14:

> Bills on the Final Passage Postponed calendar may be called up under this order of business.

QUESTION OF INFORMATION

Mr. SARRAF. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. SARRAF. What order of business is the House on now?

The SPEAKER. Bills on third reading. The special order of business has been disposed of.

PARLIAMENTARY INQUIRY

Mr. MAXWELL. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. MAXWELL. Is it not in order to take up bills on first reading at this time?

The SPEAKER. The House is not on that order of business at this time. The order of the day is bills on third reading, established by unanimous consent this morning.

Mr. MAXWELL. It is my understanding that we had the special order of business at two o'clock.

The SPEAKER. The special order of business has been disposed of.

Mr. MAXWELL. Then do we not revert back to our regular order of business?

The SPEAKER. And the regular order of business is bills on third reading.

Mr. MAXWELL. The order of business under the rules of this House? I do not read, it that way.

The SPEAKER. For the information of the gentleman the order of business, bills on third reading, was established by unanimous consent this morning.

Mr. LEONARD. Mr. Speaker, I rise to oppose House Bill 663 as proposed by the gentleman from Allegheny, Mr. Hannon. At the time the confusion started relative to the assessments by the Assessment Board of Allegheny County, the county commissioners of Allegheny County at once proceeded to call in members of the Real Estate Board, and now a committee has been created to go into the matter and report back with recommendations to the commissioners. The purpose of the county commissioners in appointing the committee of outside real estate experts to inquire into and make recommendations on Allegheny County's assessment policy was to remove this question from the field of politics. Representative Hannon, whose activities particularly called this matter to the public attention, professes highest regard for the integrity and ability of the investigation committee. This investigation committee was requested to meet and report its recommendations back to the county commissioners.

I have in my hand a letter from the Pittsburgh Real Estate Board that I want to read into the record for the information of the Members of this House. This letter is dated April 15, and addressed to me. It reads:

> The Board of Governors of the Pittsburgh Real Estate Board has gone on record vigorously opposing Representative O. B. Hannon's bills, Nos. H. R. 195 and H. R. 663. H. R. 195 would abolish county taxes in Allegheny County on mine and mill machinery.—

POINT OF ORDER

Mr. FLEMING. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. FLEMING. My point of order, Mr. Speaker, is that the gentleman is not speaking on House Bill 663. He is speaking on 195.

The SPEAKER. The gentleman will please confine himself to House Bill 663, Printer's No. 444.

Mr. LEONARD. Mr. Speaker, I ask unanimous consent of the House. It is only a small paragraph dealing with this, and I want the whole letter on the record. May I have that ruling?

The SPEAKER. Will the House permit the gentleman to read a small paragraph which is confined to this subject? The Chair hears no objections. The gentleman will confine himself to the question before the House.

Mr. LEONARD. I will read:

> H. R. 663 would change the present County Board of Assessment, Appeals, and Review. The main provisions of the Bill would reduce the number of members from seven to three and provide for their appointment by the County Commissioners, the Court of Common Pleas, and City Council acting jointly with the County Commissioners. It also provides for duties, salaries, methods of placing value, nominal assessment of $100.00 on buildings under construction, methods of operation of the Board, and so on.
>
> We believe that this Bill is unsound, inconsistent, and its constitutionality is questionable. This legislation is wholly unnecessary at this time inasmuch as the present legislation is adequate, there being need only for more effective application. The local Assessment Research Committee, appointed to investigate the County Board of Assessment, Appeals, and Review, has made an excellent report and offers a solution to the assessment problem in Allegheny County without the necessity for further legislation.
>
> We earnestly urge your support in opposing these two Bills.
>
> Respectfully yours
> (Signed) Fred J. Hettling
> President

Mr. Speaker, I am not a real estate man and have had no experience in handling real estate. The county commissioners of Allegheny County for the purpose of eliminating politics immediately suggested that practical men take over this subject matter. They have done so and they have done a good job, and this board of investigation shows you, the Members this House, that the matter is well in hand, that the present law is perfectly adequate, and this board, the outstanding real estate board of Pittsburgh and Allegheny County is telling you from a practical standpoint that House Bill 663 is not needed. Now, who is right in this case? Is it politics that is right or are the people of the County of Allegheny right? Is the Pittsburgh Real Estate Board right or are we right here in the House? I am willing to take the word of the board, and I ask the Members of this House to support the request of the Pittsburgh Real Estate Board.

Mr. HANNON. Mr. Speaker, in answer to the gentleman from Allegheny, Mr. Leonard, I wish to state that I had lunch with a committee of the Pittsburgh Real Estate Board last Saturday, including Mr. Hettling, who signed the letter read by the gentleman from Allegheny Mr. Leonard. The committee admitted to me openly that not one of them had read the bill, and after I read the bill to them and explained the bill to them, Mr. Hettling made the statement that he would then refer the bill back for further consideration on behalf of his committee. I do not intend to waste any more of the time of this House on this particular bill. It was thrashed out here yesterday, and I feel that the details were well discussed. I am asking every Member of this House on behalf of the home owners of Pittsburgh and Allegheny County to vote for this bill, because through this measure the inequitable assessment which now exists in Pittsburgh and in Allegheny County will be corrected.

Mr. STONIER. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Muir, Serrill, Taylor, Boorse, Norman Wood, Fleming, James, Hannon, Cooper, Ewing, Cook, Van Allsburg, Mahany, McSurdy, Greenwood, Calvin, Coulson, Hoopes, Depuy, Paul H. Wagner and others.

On the question,
Shall the main question be now put?

PARLIAMENTARY INQUIRY

Mr. LEONARD. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. LEONARD. Mr. Speaker, being the only one that participated in the discussion on the question before the House, and the proponent of the bill having questioned the validity of the letter I read, is it possible for you as Speaker of the House to accept a motion to shut off debate and prevent me from correcting the statement made by Mr. Hannon? Is that possible?

The SPEAKER. The Chair has no other recourse but to follow the rules of this House. The Chair must put the question on the motion when it is called for.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. BROWN. Mr. Speaker, it is permissible under the rules of the House to interrogate a gentleman concerning the motion that is now before the House?

The SPEAKER. It is not. Under the motion for the previous question the only question before us is, shall the main question now be put.

Mr. BROWN. Is an interrogation possible on the motion before the House?

The SPEAKER. The Chair will read the rule for the information of the House:

> The previous question shall not be moved by less than twenty members rising for that purpose, and shall be determined without debate. When the previous question has been called and is sustained by the majority of the members voting, its effect shal be to cut off all debate and bring the House to a direct vote upon the immediate question on which it has been ordered.

The Chair is of the opinion that interrogation would be a form of debate.

Mr. BROWN. Does the Chair have a decision of this House to guide the Chair in making that decision, that interrogation is debate?

The SPEAKER. The Chair will read decision No. 134:

> Under a parliamentary inquiry the question was raised as to whether an interrogation of a motion to lay a resolution on the table was proper or improper. The Speaker stated that under the rule which provides that a motion to lay on the table is not debatable, it would preclude an interrogation which certainly is in the nature of an argument.

Mr. BROWN. Mr. Speaker, may I ask that the Speaker again announce the names of those who seconded the motion to move the previous question?

The names of those who seconded the motion for the previous question were announced to the House from the Reporter's notes.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. BROWN. Mr. Speaker, is a motion as to constitutionality of a bill permissible at this time?

The SPEAKER. That motion is not in order. The only question before the House is, shall the main question be now put.

Mr. BROWN. Mr. Speaker, is a motion to lay the motion to put the main question on the table in order?

The SPEAKER. That motion is in order. The Chair would recognize a motion of that nature. Will the gentleman yield?

Mr. BROWN. I will, Mr. Speaker.

The SPEAKER. The Chair will read Rule 15 for the information of the House:

> No business regularly before the House shall be interrupted, except by motion for adjournment, to lay on the table, for the previous question, namely "shall the main question be now put?" for postponement, for commitment, for amendment, which several motions shall have precedence in the foregoing order.

PARLIAMENTARY INQUIRY

Mr. BROWN. Mr. Speaker, I do not want to transgress any rules of this House; I never have, and I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. BROWN. Mr. Speaker, before making a motion to lay a motion for the previous question on the table, is it permissible for a Member at this time to make a statement as to why he makes the motion to lay upon the table, or is the Member confined to the bare motion to lay upon the table?

The SPEAKER. A motion to lay upon the table is not debatable.

Mr. BROWN. I am afraid the Speaker did not understand my question. Is the Member confined to the bare motion to "lay upon the table," or may he state why he makes the motion to lay upon the table?

The SPEAKER. A motion to lay upon the table is not debatable. The motion is confined to the bare motion to lay upon the table.

MOTION TO LAY ON TABLE

Mr. BROWN. Mr. Speaker, I regret that I must abide by the ruling of the Speaker, but I shall do so. In the interests of fair play I move this time to lay upon the table the motion for the previous question.

On the question,

Will the House agree to the motion?

Mr. CALVIN. Mr. Speaker,—

The SPEAKER. There is nothing before the House except the question on the motion of the gentleman from Allegheny, Mr. Brown.

PARLIAMENTARY INQUIRY

Mr. CALVIN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Beaver will state his question of parliamentary inquiry.

Mr. CALVIN. On page 740 of the Manual, under the heading "Decisions of the House," there is a decision regarding this very question, under number 171-a.

The SPEAKER. The Chair would inform the gentleman from Beaver, Mr. Calvin, that under the decision to which he refers the motion "Shall the main question be now put" had already been agreed to. In this instance it has not been so the motion to lay on the table under Rule 15 takes precedence.

Mr. CALVIN. Mr. Speaker, Decision No. 171-a reads:

> The previous question having been moved and seconded.
>
> A motion was made to lay the motion for the previous question on the table.
>
> The Speaker ruled that the motion for the previous question could not be laid upon the table.

I believe that is the decision.

The SPEAKER. The Chair was under the impression that the gentleman was referring to Decision 171-a. The Chair would again say to the gentleman from Beaver, Mr. Calvin, that when that decision was made the motion for the previous question had already been agreed to. In this c[illegible] motion has not been agreed to.

Mr. CALVIN. If the Speaker please, I feel that that decision indicated that the previous question was made and seconded, and then a motion was made to lay on the table. The Speaker ruled that it could not be laid upon the table. Isn't that the situation at the present time?

The SPEAKER. No, because the motion has not been agreed to.

Mr. CALVIN. It says "moved and seconded."

The SPEAKER. The Chair informs the gentleman from Beaver, Mr. Calvin, that under Rule 15, the motion not having been agreed to, the motion to lay upon the table takes precedence and is in order. The question is on the motion to lay the motion for the previous question on the table.

PARLIAMENTARY INQUIRY

Mr. COHEN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. COHEN. Am I to understand, Mr. Speaker, that the vote that is now to be taken is on the question to agree to the motion, and not for the main question?

The SPEAKER. The question is on the motion to lay the motion for the previous question on the table. Those voting "aye" vote to lay the motion for the previous question on the table. Those voting "no" vote against it.

The Chair would state to the gentleman from Beaver, Mr. Calvin, that the rule to which he refers was amended in 1943 and was not the rule in 1939 when that decision was made.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. O'Brien and Mr. Baker and were as follows:

A verification of the roll was requested and withdrawn by Messrs. Schuster, Skale and Powers.

YEAS—58

Baker,
Barrett,
Bentley,
Bentzel,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Chervenak,
Chudoff,
Cohen,
Corrigan,
Croop,
Cullen,
Dillon,
Duffy,
Elliott,
Finnerty,
Goodwin,
Green,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Tate,
Thompson,
Trent,
Weiss,
Welsh,
Wright,
Yester,

NAYS—112

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Brice,
Cadwalader,
Calvin,
Campbell,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hewitt,
Hocke,
Hoffman,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the main question be now put?

The yeas and nays were required by Mr. Baker and Mr. Barrett.

Messrs. Baker, Heatherington and Leonard requested a verification of the roll.

The roll was verified and was as follows:

YEAS—110

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cooper,
Cordier,
Costa,
Coulson,
Denman,
Dennison
Depuy,
Dix,
Elliott,
Ely,
Erb,
Ewing,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.
Rowley,
Royer,
Sarge,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,
Taylor,
Thompson,
Tiemann,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—62

Baker,
Barrett,
Bentley,
Elder,
Finnerty,
Flynn,
Maxwell,
Modell,
Mooney,
Reynolds,
Sarraf,
Scanlon,

Bentzel,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Chudoff,
Cohen,
Croop,
Dillon,
Duffy,
Goodwin,
Green,
Hamilton,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Lane,
Leonard,
Levy,
Longo,
Lovett,
Moran,
Munley,
O'Brien,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Schuster,
Skale,
Snider,
Stank,
Tate,
Thrasher,
Trent,
Verona,
Weiss,
Welsh,
Wright,
Yester,

So the question was determined in the affirmative and the motion was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—109

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cooper,
Cordier,
Costa,
Coulson,
Dalrymple,
Denman,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hewitt,
Hocke,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mock,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Root,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Serrill,
Simons,
Smith,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—58

Baker,
Barrett,
Bentley,
Bentzel,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Corrigan,
Croop,
Cullen,
Dillon,
Duffy,
Elliott,
Flynn,
Goodwin,
Green,
Hamilton,
Heatherington,
Hersch,
Hunter, B. F.,
Kirley,
Lane,
Leonard,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Connor,
O'Neill,
Owens,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Reynolds,
Sarraf,
Scanlon,
Schuster,
Skale,
Snider,
Stank,
Tate,
Thompson.
Trent.
Verona,
Weiss,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

(The record of the procedure here was expunged upon motion of Mr. Lichtenwalter, seconded by Mr. Cohen. For motion see Legislative Journal of April 22, 1943.)

RESOLUTION No. 55

Mr. SCANLON. Mr. Speaker, I desire to call up House Resolution No. 55, Printer's No. 479.

The resolution was read by the Clerk as follows:

In the House of Representatives, April 5, 1943.

Whereas, The House of Representatives of the General Assembly at the Regular Session of 1941, adopted on January 7, a resolution (Serial No. 12), whereby a special committee of five members was appointed to investigate a threatened discontinuance of W. P. A. sewing projects in Pennsylvania because of the refusal of this Commonwealth to contribute certain funds therefor as required by the Federal Government; and

Whereas, The Honorable William A. Shaw was designated as chairman of said committee; and

Whereas, The entire appropriation of three thousand dollars ($3,000) made to such committee under Appropriation Act 63-A, to cover the expenses of that investigation, was duly paid to the aforesaid William A. Shaw by the State Treasurer; and

Whereas, The investigation directed to be made by said committee was completed and a preliminary report filed with the General Assembly on February 17, 1942; and

Whereas, The chairman of the committee has never made any accounting of the disposition of the three thousand dollars ($3,000) appropriation turned over to him; and

Whereas, The remaining four members of the committee have not received any reimbursement for the expenditures actually made by them in connection with this investigation; now therefore be it

Resolved, That a committee of five members be appointed by the Speaker of the House of Representatives to investigate immediately the expenditures by William A. Shaw of the appropriation above referred to; and be it further

Resolved, That William A. Shaw shall forthwith file an accounting of the uses made of such funds.

On the question,

Will the House adopt the resolution?

Mr. LOVETT. Mr. Speaker, might I ask if the gentleman from Allegheny, Mr. Shaw, ever has been asked at any time before to make an accounting?

Mr. STOCKHAM. Mr. Speaker, I want to answer the question by saying, yes.

On the question recurring,

Will the House adopt the resolution?

It was adopted.

REPORTS FROM COMMITTEES

Mr. NORMAN WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 531, entitled:

An Act making an appropriation to the Pennsylvania State College to advance the tobacco interest of this Commonwealth.

Mr. NORMAN WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 974, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Mr. WALLIN, from the Committee on Education, reported as committed, House Bill No. 1052, entitled:

An Act to further amend section five hundred eight of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further regulating the incurring, funding, and refunding of indebtedness, temporary and permanent, the retirement of indebtedness, and the borrowing in anticipation of current revenues.

Mr. NORMAN WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 1106, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Mr. GREENWOOD, from the Committee on Appropriations, reported as amended, House Bill No. 179, entitled:

An Act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania.

Mr. NORMAN WOOD, from the Committee on Appropriations, reported as amended, House Bill No. 627, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of completing restoration and preparing for public use as a museum, the property at Ambridge, Beaver County, Pennsylvania, formerly owned and occupied by the Harmony Society, and known as "Old Economy."

Mr. McKINNEY, from the Committee on Professional Licensure, reported as committed, Senate Bill No. 209, entitled:

An Act to further amend section eleven (b) of the act approved the nineteenth day of March one thousand nine hundred nine (P. L. 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by further regulating the requirements for license as an osteopathic surgeon.

Mr. McKINNEY, from the Committee on Professional Licensure, reported as committed, Senate Bill No. 244, entitled:

An Act reducing for a limited period of time the training period of interneship in osteopathic hospitals in order to qualify for examination for license by the Osteopathic Surgeons' Examining Board to practice major surgery and suspending inconsistent laws.

Mr. BOORSE, from the Committee on Building and Loan Associations, re-reported as amended, House Bill No. 486, entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 457) entitled "An act relating to the business of building and loan associations providing for the organization and voluntary dissolution of such associations defining the rights powers duties liabilities and immunities of such associations and of their officers directors shareholders solicitors and other employes prohibiting the transaction of business in this Commonwealth by foreign building and loan associations conferring powers and imposing duties upon the courts recorders of deeds and certain State departments commissions and officers establishing limitations of actions imposing penalties and repealing certain acts and parts of acts further defining the rights powers duties liabilities and immunities of building and loan associations and their shareholders and creditors.

BILL INTRODUCED AND REFERRED

By Mr. LEE. HOUSE BILL No. 1109.

An Act making an appropriation to the Department of Revenue for the payment of claims for legal services.

Referred to the Committee on Appropriations.

RECESS

Mr. LICHTENWALTER. I move that this House do now recess until 9 p. m.

The motion was agreed to.

AFTER RECESS

The House reconvened at 9 p. m.

The SPEAKER (Ira T. Fiss) in the Chair.

PERMISSION TO ADDRESS HOUSE

Mr. LOVETT asked and obtained unanimous consent to address the House.

Mr. Speaker, this afternoon in the House of Representatives we witnessed one of the worst spectacles that has happened in my time in the sessions in Harrisburg. I want to say to the Members of this House, I mean the minority Members, that we listened to the speech made by my colleague on the other side of this House last week, when we were informed that the minority side of this House had placed a pistol at the head of the Governor, and stating that he was willing to sit here and debate legislation for three weeks. This afternoon in this House we witnessed those same gentlemen getting up on the floor of this House and stopping debate. When we on the minority side of this House wish to debate legislation they stop it by moving the previous questions.

There isn't any use of the majority getting up over there and shouting that they want to be fair and that they want progressive legislation during this session of the legislature. The men on this side who have served for many years realize that back in 1933 when we had a very small minority on this side of the House, when we were changing the rules for this House in regard to legislation that was stifled in the committees in this House, we asked for a change of those rules, we were defeated and were not granted that right.

We also remember in 1935 when we then became the majority in this House and our Republican friends on the other side came over and asked us to be consistent and reduce the number of votes in order to discharge committees, that they can bring their legislation before this body. Now in all fairness we did reduce the number of votes which it took to discharge committees, if my memory serves me rightly, when the Republican Members of this House had eighty-five Members. I cite this instance to you just to prove to you that it was only lately, because during that session of legislature they never tried to discharge any committees in this House. They are not interested in discharging committees and bringing legislation before the body. No, my friends, that is the maneuvre which we work under in Harrisburg. They never once to my knowledge used the power of discharging committees during this session of legislature. I want to say to you that when they came back in power in 1939 they immediately changed the rules and put it back to one hundred and five, where it stands today. Now, ladies and gentlemen, there is a reason for that. As I said before, they are not interested in the bringing of this legislation out of the committees. They are interested in the committees. I can go on here and cite instance after instance. I realize that they accuse us of a filibuster. I realize this afternoon in this House that one of the gentlemen got up over on the other side and said one man started a filibuster in this House. You don't need anybody to tell you who started the filibuster in the state of Pennsylvania. It was started in the Senate of Pennsylvania and not in the House of Representatives. It was just wished upon the House of Representatives. I sometimes wonder if the people are really sincere when they say they are interested in a democracy. I realize that you men on this side of the House possibly are not too interested in filibusters, but I also realize that possibly if they had had a few filibusters in France and Germany they may have been able to save some form of democracy in those countries.

I say to you this is no laughing matter. Democracy is on trial in Pennsylvania and democracy is on trial all over the world. I have stood on this floor many times and have cited to you that it was not down in the rank and file of the people of this state or any other state of this nation in which our democracy would be lost, but it is up in the higher brackets where we are going to lose our democracy; that as men who fight in the interest of our state rights and fight in the interest of democracy, we'll realize that it is not down in the rank and file of our people, the men and women who are working day and night in order to save democracy, in order to build the ships, the planes, the guns or ammunition that we may save our democracy. No, it is here in the House of Representatives and here in the Senate of Pennsylvania where we are going to lose our democracy if it is going to be lost. I warned this House two or three weeks ago,—anyone could see the trend; when men do not find time to stay in Harrisburg and do their legislative duties, I say to you that it is time that we wake up. I would like to say to you men on the other side of the House, I would like you to go out and get your colleagues and bring them in so that we may have an opportunity to speak to them. I ask them to be fair in these trying times when our nation is at war.

Mr. Speaker and members of the House, we may make a lot of fun of it, we may have a lot of fun about it, but I want to say to you this is not funny to me. As one of the men who come out of the rank and file, who has continuously fought in the interest of good government and state rights, and realizing that the democracy which we fight for is worth every word of it, it is worth the time of the men of this House. If I talk long enough I possibly may have an audience on the other side.

The SPEAKER. Has the gentleman from Westmoreland finished?

Mr. LOVETT. Not yet, Mr. Speaker.

The SPEAKER. The gentleman will proceed, please?

Mr. LOVETT. Quickly, Mr. Speaker?

The SPEAKER. The Chair said "please;" not quickly.

Mr. LOVETT. I want to say to the Members, especially the new Members on the other side of the House, that as a Member for ten years in this House, I have never voted for the previous question; I have never voted to stop any man on debate regardless of whether my party was in power or out of power.

I say to you men on the other side and the men on this side that in the remaining days of this session I ask you all to get up and have your say. I have always been opposed to the idea of two or three men in this House, on this side or that side, saying to the Members of this House, "We shall talk and you shall listen" and by the time they are talked out they move the previous question.

My friends, you are elected to come here to have your say the same as every other man, regardless whether he comes from one section or the other section. I realize this afternoon that when we passed the Congressional reapportionment bill,—I sat and listened to the debate, and I heard one or two men raise the question of constitutionality on the reapportionment of the state of Pennsylvania. Why did we raise the question of constitutionality? I read in a Pittsburgh paper on Sunday where the Speaker of the House down in Washington said that he did not think there ever was a time in history when such action was taken, and that he felt definitely that it was unconstitutional to pass and enact a reapportionment bill at this session of the legislature, due to the fact that we had reapportioned the state last year. I realize that the reapportionment bill which we were working on this afternoon did not affect my congressional district. The only thing that was in my mind is to think that we are the men who are here in the interest of democracy, and I say to you that many of you men feel the same as I do, that when we passed the reapportionment bill during the last session of the legislature, that you are now doing something that is unconstitutional when you are now reapportioning the state one year later.

Mr. friends, that is my fight here this evening. If we may save democracy by a filibuster or by reading the bills at length in the House of Representatives, I say to you that it will go down in history that it was time well spent, and that the bills should have been read at length.

I listened to my colleagues on this side of the House in regard to the constitutionality of reading bills at length, and I repeat again that maybe it would have been a good thing over in these other countries if they had read a few bills at length and prolonged some of the sessions in the interests of the people there, that we may not have had to awaken to the fact that Hitler was on his way. I say to you that if it takes bills to be read at length in order to waken up the people of this state and the Members of this House to the necessity of saving democracy, I am willing to read bills from now until Christmas. There is no scarcity of time, there is no scarcity of money when we are here working in the interests of those selfish few who would make profits out of the war as they have before. I realized this afternoon when one of my colleagues cited the fact that we were wasting the time when we could have been selling war bonds, I know not exactly about the particular war bonds that the gentleman was speaking of but I do know, gentlemen, that within the last two or three weeks the banks of this country floated what they have called a bond issue. I say to you that that bond issue that they floated was what was known as Victory Bonds, Liberty Bonds, in other words. I realized that the poor people of this country bought those bonds during the last war, and I realize—

Mr. TATE. Mr. Speaker,—

The SPEAKER. For what purpose does the gentleman arise?

Mr. TATE. May I request that the Members be quiet and be in order during this address?

The SPEAKER. The House will be in order. The gentleman from Westmoreland will proceed.

Mr. LOVETT. I realize, unless I am mistaken, the gentleman was talking about those particular bonds. I realize that those bonds went up and down with the market, and I realize that many of our poor people bought those bonds, and when they were forced to sell them when they became low, the bankers and the financiers of this country bought them, and sold them when they got back to the peak. My friends, I am not so much interested in that kind of bonds. The bonds that have been sold in this country to the working class of people and to the people of this country are the bonds that mean something to me, because the worker cannot lose that type of bonds, they are not transferable, and what you put into them you are going to get out of them.

Now, my friends, if we were worrying about selling bonds when we are fighting here in the interests of democracy, neither bonds nor anything else will be worth anything, and you gentlemen know it, unless we win the war.

I cite to you gentlemen on the other side who are stirring up and asking that we be fair, I say to you that we will be fair, we will be fair if you will be fair with us. I say to you that if you will cease to move the previous question, if you will cease to try to stop debate, and gag us on legislation, that we will be fair. We are only too glad to be fair. We came here in the interests of the people. I realize that the Congressional Reapportionment bill, regardless of what the Republicans do with it, regardless of what the Democrats do with it, I say to you Members of this House, that back in the year of 1933 we elected in Pennsylvania from Republican districts, Democratic Members of the House of Representatives. I say to you that in 1935 when we elected a Governor, who I might say this afternoon in this House of Representatives, these statements made to the effect that if that was the type of Governor we could produce in forty years we better not produce any,—I want to say to you that the history of Pennsylvania proves that what the Governor in 1935 in the state of Pennsylvania did and what he stood for, regardless of what any man on any side of this House says, we realize the legislation that was passed in the interests of the people through that session of the Legislature. We realize in the trying times in which he became the Governor of Pennsylvania, in the forty years that you say we elected one Governor,—yes, I say to you that the man who took the reins of government in Pennsylvania in 1935 faced in this state and in this country, when the conditions of this country were at the lowest ebb. I often wonder today what the Governor who is now Governor would do if he faced the problems that the Governor faced in 1935. I realize that there is a war on and that you men will say that he is facing a war time. Yes, but the war you are speaking about is still many, many miles away from our shores. The war which the Governor in 1935 faced was right here, right here in Pennsylvania. My friends, I care not how you fix the congressional districts, I care not how you fix any legislative districts, I say to you that the people themselves will rise up and elect men who will come down to Harrisburg and go down to Washington and fight for the masses of the people, regardless of how you redistrict. I realize that we men who came here in 1933 were elected by Republicans, we were not elected by Democrats. Why, if I would have got only the votes that were cast on the Democratic ticket in my legislative district they wouldn't have even known that I was running for the legislature. But what happened, my friends? What happened? Our country was in one of the worst conditions it had ever been in in the history of the world. The people rose up in their might and elected the Democratic ticket. Our honorable President today was elected at that time. Why? Because the people were grasping for straws in order to pull us back together. Men get up and condemn the Governor of 1935. I say to you gentlemen, we have been fair whether we were in power or out of power. I say to you that we did reduce the figure in order to discharge committees in the House of Representatives and reduced it down to a place where you gentlemen could have discharged any committee in this House of Representatives and brought the legislation to the floor of the House for a vote.

Now, if I ask you gentlemen today to reduce the figure down to the point where the gentlemen on the other side of the House could do likewise, will you do it? Will you do it? No, no. So, my friends, let's not get excited about the few days that we waste here on reading of the bills. I say to you that if this filibuster that they talk about is going to stop the manipulators in the state of Pennsylvania from running roughshod over the people of the state,—and it is no dream, my friends,—you realize that you reduced the license fee on those who were best able to pay; you realize that you have legislation here that reduces the license fee or the fees charged to the tune of one hundred or one hundred ten thousand dollars. I say to you that if this filibuster does nothing but stop that sort of tactics then I say to you the filibuster is right. I realize in my time in Harrisburg that the important legislature in this House stays in the committee rooms, never gets to the floor of this House until the last week or two weeks of the session of the Legislature. I might say to you that this happens under the Democratic administration; I realize that it does. Now, why? Why do we keep this important legislation until the last? I'll tell you why, my friends, and I realize that you are busy and he is busy and the other fellow is busy; they want to get back home to their families and their interests at home. They realize that when they play us out and get us down to the very wrangle point, when we get up here and fight one another back and forth across this House as we did this afternoon, I don't think there is any necessity that we should fight one another personally. I don't take any individual man on this side of the House; I realize that we have party affiliations, but I say to you that there is a place where party affiliation ceases; I say to you that when it comes to free speech and debate on the floor of the House of Representatives party affiliation ceases. I wouldn't dare get up here and ask you men not to vote for the previous question and stop debate if I myself did, I realize that. I realize that I was here when the Democratic party had control of the House and the Senate and the Governor's office. I didn't vote then in order to stop debate, and I think it is only fair that I ask you men to do likewise. I say to you Members of the House, that we can cite in this session of the Legislature where you have eliminated the revenue that came into the state of Pennsylvania from the people who were best able to pay, but you didn't relieve it from those who were least able to pay. You ask the man who paid ten dollars prior to this time for his license plates, to pay ten dollars now. You eliminated the mercantile tax in the state of Pennsylvania. For what purpose? You are not saving any money for the little fellows. Every man who runs a business figures his overhead and figures the cost of the mercantile tax. My friends, let me say here tonight that I welcome a filibustre or anything else that will call to mind and to the attention of the people of the state of Pennsylvania that we have something to fight for. There is no use of getting up and hollering about it when it is lost. Now is the time, and I say to you men over there who are new Members in this House, get up and have your say. If you think I am wrong, tell me I am wrong. If you think any of these fellows are wrong, tell them they are wrong. You have as much right to get up and have your say as they have.

And don't say that one man caused the filibuster in the House of Representatives. Do you realize that the filibuster started in the Senate of Pennsylvania? That high branch of the Legislature of Pennsylvania, in which the Members of the House of Representatives dare not smoke, but the Senators can come over into this House and smoke.

Let us be fair. I ask you men to be fair, and let us debate the legislation during the rest of this session on the merits of the legislation that comes before us and not on the individual. I realize that it does happen in this House of Representatives when a man's name on a bill means whether the bill passes or whether it is defeated. Can you imagine that in a democracy? Can you imagine that would defeat a piece of legislation because a man's name was on it? That just don't make sense to me, and I don't think it makes sense to you. But you realize that it is true, and I realize that it is true because we know that the individual's name on a piece of legislation many, many times either defeats or passes that legislation, regardless of how good or how bad.

We realize that in our committees there is legislation, and that is no secret,—I am not disclosing any secrets of the committee,—you don't think that the people of Pennsylvania don't know that that legislation is in the committee rooms of Pennsylvania. Sure they know that legislation is in there, and there is no use of you trying to kid anybody. My friends, I say again that I realize what it means to men to have to sit here in this House long hours on legislation, but I say to you that if it saves democracy it is worth it.

You people were elected by your people to come here and do a job. You didn't go out and tell your constituency "I don't have time to go to Harrisburg." You didn't tell your constituency "I don't have time to read bills at length." I think the framers of the Constitution when they put it in there that the bills should be read at length really knew something. They realized that the time would come when men would be controlled financially or otherwise by the powers of the monopoly, that the only recourse and the only way in which we could get our message back to the people would be to revert to the Constitution and read the bills at length. I realize that we have states in this nation that have rules in the House of Representatives in those states in which the legislation must be reported out of committee and must be acted upon. Now, I suppose you gentlemen would think that would be an awful thing in the state of Pennsylvania, but there are states which have that ruling. I say to you gentlemen, I want to be fair, I want to debate the legislation, I want every fellow on this side of the House to have an opportunity to speak, I want every fellow on that side of the House to have an opportunity to speak if he wants to. I don't think there should be any key man over there and I don't think there should be any key man over here. Now, I think that is fair, and do you gentlemen realize that when you vote for the previous question to stop debate, that nine times out of ten you stop the fellow who very seldom gets up on the floor of this House, because nine times out of ten that very fellow already has had his say.

I don't think I am being unfair when I ask for that. I think that is only being fair to you men and to the men over here. I realize what the Governor said in his address to the House of Representatives. I realize that he said there would be no "must" legislation. You men realize what he said, that he didn't want any politics. Personally myself I could have gone up and shaken hands with the Governor of this state when he gave his little heart-to-heart talk to the Members of this House about war-time legislation, and about no politics in this session of the Legislature.

You gentlemen realize whether the Governor liked it or whether the Governor didn't like it, that we have had that type of legislation since this session began. One gentleman wanted to give me a list of the bills, but there are too many of them; it would take too long to talk about. The only thing that means anything to you gentlemen is the fact that it is true. You don't need me to cite that for you. All you need to do is to go over the calendar, pick out the legislation, pick out all these bills, and you will find out well enough what they did. You will find in the Legislature where we have increased the salaries of the politicians. There won't be any question about that. I say to you gentlemen, let us from now on debate the legislation. Maybe it is a good thing these bills are read at length. Maybe we will wake up to the fact that there is something in the bills, because I realize as a layman that the bills that are now presented to us in the House of Representatives are pretty cleverly drafted. We realize that there are many sleepers and many little things in the bills that we possibly don't get. I think that if we went back to the first days of the Legislature the framers that came in drew bills in such fashion that we couldn't understand them. I imagine there is quite a difference between the form of legislation today and the form of legislation one hundred years ago. I find no fault with the advance, providing that we give to the people the right and the opportunity that they may know what is in the bills, and not find that out after we go home they discover there were some of the bills we didn't know anything about. So, my friends, from now on let us be reasonable with one another. I will try to insist over here that you get the right results, if you try over there to insist that I get the right results. But I want to say to you gentlemen that I don't get up just for the fun of getting up. This to me is just as hard as anything that I could do. I feel that it is my duty as a Member of the Legislature to get up and have my say and to voice my opinion, whether it be good or whether it be bad.

I say to you that I will fight in your interest for that same right, and I would like to see every man get up and have his say and not allow someone else to tell him how he should vote. Let us find out what is in the legislation, let us use our own judgment, let us work in the interests of the people, in the interests of the laboring people, and I say to you we will make no mistakes.

QUESTION OF PERSONAL PRIVILEGE

Mr. SNIDER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Fayette will state his question of personal privilege.

Mr. SNIDER. During last night's session, Mr. Speaker, when House Bill 610 was up for final passage I distinctly voted "aye." During the verification the reading clerk gave my name as voting 'no." I asked last night to have it changed. I see by the record it was not changed.

The SPEAKER. The remarks of the gentleman from Fayette, Mr. Snider, will be noted in the Journal.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 489, as follows:

An Act authorizing the Department of Property anad Supplies with the approval of the Governor to purchase a certain property within the area of the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg providing for the development of the Said property and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Department of Property and Supplies with the approval of the Governor is hereby authorized to purchase in the name of the Commonwealth of Pennsylvania the hereinafter described property located within the City of Harrisburg County of Dauphin State of Pennsylvania owned by the heirs of Henriette A Disbrow and which is within the area designated by the Commonwealth of Pennsylvania as constituting part of the eastern approach to the Soldiers and Sailors' Memorial Bridge in said City and which property under the provisions of section 13 of the Act of Assembly approved the eighteenth day of July one thousand nine hundred and nineteen (P. L. 1049) entitled "An act authorizing the Board of Commissions of Public Grounds and Buildings to erect a Soldiers' and Sailors' Memorial Bridge with the approaches thereto and memorial pylons in the city of Harrisburg to commemorate the services of the soldiers and sailors of the Commonwealth providing for the letting of contracts therefor providing for a proportion of the cost to be paid by the city of Harrisbury and public service corporations using or affected by the building of said bridge providing for acquiring any property necessary by eminent domain giving the Board of Commissioners of Public Grounds and Buildings the right to sell a portion of the land to the Pennsylvania Railroad Company to conform to the plans of the architect providing for the maintenance of said bridge and making an appropriation to carry out the provisions of this act" has been restricted by ordinance of the City of Harrisburg from any use which in the judgment of the State Art Commission shall damage or detract from said bridge

The property to be purchased under the authority of this act is described as follows

Beginning at the southwestern corner of State Street and North Thirteenth Street thence southwardly along the western side of North Thirteenth Street one hundred two (102) feet more or less to the center of a four (4) feet wide private alley and land now or late of Harry Zukerman thence westwardly along the line of said property and at right angles to North Thirteenth Street and for part of the distance through the center of said alley eighty-nine (89) feet more or less to the property now or formerly of Rose Handler thence northwardly along the line of said property and parallel with North Thirteenth Street fifty-three (53) feet more or less to a point thence westwardly along the line of sad property and at right angles to North Thirteenth Street sixty-one (61) feet more or less to the eastern side of Linden Street thence northwardly along the eastern side of Linden Street twenty-nine (29) feet more or less to the southern side of State Street and thence eastwardly along the southern side of State Street one hundred fifty-one (151) feet eight (8) inches more or less to the point and place of beginning

Together with the right to the use of the private alley aforesaid as provided in and by the deed from Charles A Disbrow et ux to John W Cowden dated November 15 1900 and recorded in the office for the recording of deeds in and for Dauphin County in Deed Book "Q" Volume 10 Page 396 Subject to the restrictions in Deed Book "Z" Volume 10 Page 373 and Miscellaneous Book "F" Volume 2 Page 482

Section 2 The said property when acquired shall be deemed a part of the lands constituting the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg and shall be developed in such manner as the Department of Property and Supplies with the approval of the State Art Commission shall determine

Section 3 The said property shall not be acquired until the title thereto has been approved by the Department of Justice The deed of conveyance after approval of the Department of Justice shall be deposited with the Department of Internal Affairs

Section 4 The sum of ten thousand three hundred dollars ($10,300) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the payment of the purchase price of said property and expenses incidental thereto including title searches

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—121

Alspach,
Auker,
Barton.
Bonawitz,
Boorse,
Bower,
Brice,
Brunner, C. H.,
Fullerton,
Garber,
Gardner,
Gates.
Goodling,
Gorman,
Greenwood,
Gross,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Madigan,
Mahany,
Salus,
Serrill,
Simons,
Smith,
Sollenberger,
Sorg,
Stockham,
Stonier,

Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Cordier,
Costa,
Coulson,
Dague,
Dalrymple,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Figlock,
Flack,
Fleming,
Foor,
Fox,
Freed,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—42

Baker,
Barrett,
Bentley,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Chervenak,
Cohen,
Coleman,
Duffy,
Finnerty,
Goodwin,
Green,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Lane,
Leonard,
Levy,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Connor,
Owens,
Polaski,
Powers,
Reese, R. E.,
Reynolds,
Schuster,
Snider,
Stank,
Swope,
Tate,
Trent,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS PASSED OVER

There being no objection

House Bill No. 341, Printer's No. 478,
Senate Bill No. 347, Printer's No. 301 and
Senate Bill No. 211, Printer's No. 302,

were passed over at the request of the SPEAKER.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 608, as follows:

An Act to further amend section six of the act approved the fifth day of May one thousand nine hundred and eleven (P. L. 198) entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" by conferring upon said county court jurisdiction in appeals from the Workmen's Compensation Board and appeals from the Pennsylvania Liquor Control Board

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Cities—Second Class for the purpose of further study.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 862, as follows:

An Act providing for the creation maintenance and operation of a county employes retirement system in counties of the sixth and seventh class imposing certain charges on counties and prescribing penalties

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The following words and phrases as used in this act unless a different meaning is plainly required by the context shall be construed to have the following meanings

"Board" the county retirement board created by this act

"Copnty Employee" an officer or employe of the county whose salary or compensation is paid on a yearly or monthly basis and also any officer or employe regularly employed whose compensation is paid on a per diem basis

In all cases of doubt the board shall determine whether a person is an employe within the meaning of this act and its decision shall be final

"Fund" the county employes retirement fund created by this act

"Accumulated Deduction" the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act and standing to the credit of the members' annuity reserve account together with the regular interest thereon

"Contributor" any person who has accumulated deductions in the fund created by this act standing to the credit of the members' annuity reserve account

"Beneficiary" any person in receipt of a retirement allowance under this act

"Prior Service" all service as a county employe served not later than December thirty-first preceding the year the retirement system shall be established in said county

"Original Member" a member who was at any time a county employe prior to January first of the year the retirement system is established in said county

"New Member" a member who shall have become a member of the retirement system subsequent to the date the retirement system is established in said county

"Superannuation Retirement Age" as applied to the contributor means sixty years of age or upwards.

"Final Salary" the average annual salary received by a contributor for the five years of service immediately preceding retirement or in the event a member has not served five years the total salary received divided by the number of years served

"Regular Interest" interest at the rate of three and one-half per centum compounded annually

"County Annuity" payments for life or during disability derived from contributions made by the county and the interest earnings thereof

"Members Annuity" payments for life or during disability derived from contributions made by the contributor and the interest earnings thereof

"Retirement Allowance" the county annuity plus the member's annuity

Section 2 County Retirement System and County Retirement Board Created A retirement system may be established for county employes by resolution of the county commissioners in any county of the sixth and seventh class which system when established shall be administered by a county retirement board which shall consist of the chairman of the board of county commissioners or his representative who shall be its chairman the county controller or his representative and one county employe to be selected from time to time by the county employes for a term of two years Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and that he will not knowingly violate or permit to be violated any of the provisions of this act Such oath shall be subscribed by the member taking it and shall be filed among the records of the board The members of the board shall not receive any compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duty

Two members of the board shall constitute a quorum

The retirement system herein provided for shall be established on the first Monday of January of the year succeeding the one in which the resolution of the county commissioners was adopted

Section 3 Personal Administrative Expenses The Board may appoint and fix the compensation of an actuary The controller shall be the secretary of the board and shall receive such compensation for his services as may be fixed by the salary board The secretary shall keep a record of all of the proceedings of the board which shall be open to inspection by the public The expense of the administration of this act exclusive of the payment of retirement allowances shall be paid by the county by appropriations made by the commissioners on the basis of estimates submitted by the board

Section 4 Rules and Regulations Actuarial Data The board shall from time to time establish such rules and regulations for meetings of the board and for the administration of the county employes retirement fund created by this act and the various accounts thereof as may be deemed necessary It shall keep such data as shall be necessary for actuarial valuation purposes. The actuary of the board shall periodically make an actuarial investigation into the mortality and service experience of the contributors to and beneficiaries of the fund and shall adopt for the retirement system one or more mortality tables and certify to the board annually the amount of appropriation to be made by the county to the fund to build up and maintain adequate reserves for the payment of the county's share of the retirement allowances provided by this act

Section 5 County Employes Retirement Fund There is hereby created in each county of the sixth and seventh class in which a retirement system has been established a county employes retirement fund which shall consist of all moneys arising from appropriations made by the county and from contributions made by the members of the county employes retirement system and all interest earned by the investments or moneys of the fund created by this act; The moneys contributed by the county shall be credited to a county annuity reserve account and those contributed by the members shall be credited to a member's annuity reserve account and the interest earnings shall be apportioned to its member's and county annuity reserve accounts The actuary shall determine the present value of the liability on account of all county annuities payable to original members and the percentage of such liability which shall be contributed by the county each year over a period of fifteen years from the time the system is established until the accumulated reserve equals the present value of said liability All such contributions shall be credited to the county annuity reserve account The actuary shall also determine the amount which shall be contributed by the county into the fund periodically for credit to the county annuity reserve account on account of service of all new and original members subsequent to the time the retirement system is established.

Each member of the retirement system shall be required to contribute to the fund such per centum of his salary as shall be computed by the actuary to be sufficient with regular interest to procure for him on superannuation retirement one one-hundred-twentieth (1-120) of his final salary for each year of service after December thirty-first preceding the year the retirement system is established which contributions shall be paid into the fund through payroll deductions in such manner as the board may require All contributions by members shall be credited to the member's annuity reserve account

Section 6 Custody of and Payments from Fund All moneys and securities in the fund created by this act shall be placed in the custody of the county treasurer for safekeeping and all payments from said fund on account of retirement allowances shall be made only on requisition signed by the chairman and secretary of the board

Section 7 Management and Investment of Fund The members of the board shall be trustees of the fund created by this act and shall have exclusive management of said fund with full power to invest the moneys therein subject to the terms conditions limitations and restrictions imposed by law upon fiduciaries Subject to like terms conditions limitations and restrictions said trustees shall have power to hold purchase sell assign transfer or dispose of any of the securities and investments in said funds as well as the proceeds of said investments and of the moneys belonging to said fund

The board shall annually allow regular interest on the mean amount for the preceding year to the credit of each of the accounts created in accordance with the provisions of this act The amount so allowed shall be credited to each contributor's account

Section 8 Compulsory Membership Each county officer may and each county employe shall be required to become a member of the retirement system established under the provisions of this act at such date as may be specified in the resolution establishing the retirement system and thereafter when first becoming a county employe Those becoming members who have been at any time county employes prior to the first Monday of January of the year the retirement system is established shall be known as original members and those becoming members after said date as new members Provided however That if any person who becomes a county employe subsequent to the first Monday of January of the year the retirement fund was established shall have been at any time theretofore a county employe he shall receive credit for the service prior to the first Monday of January of the year the system was established and shall be known as an original member

Section 9 County Guarantee Annual Budgets. The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the county and members' annuities in accordance with this act are hereby made obligations of the county The board shall prepare and submit to the county commissioners on or before the first day of November of each year an itemized estimate of the amounts necessary to be appropriated by the county to complete the payment of the obligations of the county during the next fiscal year

Section 10 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each original member for each year of service rendered to the county prior to January first of the year the retirement system was established As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his service prior to January first of the year the retirement system was established Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the member The time during which a member is absent from service without pay shall not be counted in computing the service of a contributor unless allowed by the county commissioners and approved by the board

Section 11 Superannuation Retirement Allowance Any contributor who has reached superannuation retirement age may retire for superannuation by filing with the board a written statement duly signed by the contributor setting forth at what time he desires to be retired Said application shall retire said contributor at the time so specified

On retirement for superannuation a beneficiary shall receive a retirement allowance which shall consist of (a) a member's annuity which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the member's annuity reserve account and (b) a county annuity equal to one one-hundred twentieth (1-120) of his final salary multiplied by the number of years he has been a contributor and in addition thereto in the case of an original member one one-hundred-twentieth (1-120) of his final salary multiplied by each year of prior service but the total county annuity shall never exceed fifty per centum of the final salary

Section 12 Options on Superannuation Retirement At the time of his superannuation retirement any beneficiary may elect to receive his retirement allowance payable throughout life or if such retirement allowance shall amount to less than ten dollars per month he may elect to receive the full amount of the accumulated deductions standing to his individual credit in the member's annuity reserve account or he may in any event elect to receive the actuarial equivalent of his member's and county annuity in a lesser retirement allowance payable throughout life with provisions that

Option One If he die before receiving in payments the present value of his member's annuity and county annuity as it was at the time of his retirement the balance shall be paid to his legal representatives or to such person having an insuranble interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

Option Two Upon his death his member's annuity and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the retirement board at the time of his retirement

Option Three Upon his death one-half of his members' and county annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

Section 13 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily after having completed ten years of total service but before reaching superannuation requirement age he shall be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit in the members' annuity reserve account or (b) a member's annuity of equivalent actuarial value to his accumulated deductions standing to his credit in the members' annuity reserve account and in addition a county annuity having a value equal to the present value of a county annuity beginning at superannuation retirement age as provided in this act with respect to county annuities for superannuation retirement The same options shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 14 Total Disability Retirement Allowance If a contributor after five years of service as a county employe and before reaching superannuation retirement age is disabled while in service and is unable to continue as a county employe as shown by medical examination he shall be paid a retirement allowance consisting of a county annuity of twenty-five per centum of his final salary which shall include the member's annuity calculated in accordance with the provisions of this act

Section 15 Payment of Balances Where Disability Annuitant Dies Should a person receiving a disability retirement allowance die before receiving total member's annuity payments equal to the amount standing to his credit in the member's annuity reserve account at the time of retirement there shall be paid to his estate or beneficiary the difference between such credit and the total member's annuity payments received

Section 16 Monthly Payments of Retirement Allowances The retirement allowances granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed except as otherwise provided in this act All members annuities shall be payable from the members annuity reserve account and all county annuities from the county annuity reserve account

Section 17 Refunds in Case of Withdrawal or Death Where a contributor resigns from service or where a contributor has died then the amount standing to the credit of the contributor in the members' annuity reserve account shall be paid to him or his estate or to the person named in any beneficiary certificate filed by the contributor with the board When a contributor or a beneficiary has died and there shall be due to the estate of such contributor or beneciary a sum less than one hundred dollars and letters testamentary or of adminisitration have not been taken out on the estate of such contributor or beneficiary within six months of death the board may pay the amount due on the claim of the undertaker or to any person or persons or political subdivision who or which shall have paid the claim of the undertaker

Section 18 Exemption from Taxation and Execution Etc The right to a member's annuity or a county annuity or to the return of contributions shall be exempt from any State or municipal tax and from levy sale garnishment attachment or any other process whatsoever and shall be unassignable

Section 19 Fraud Correction of Errors Any person who shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the retirement system herein established in any attempt to defraud such system shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or suffer imprisonment not exceeding one year or both in the discretion of the court

Should any change in records fraudulently made or any mistake in records inadvertently made result in any contributor or beneficiary receiving more or less than he would have been entitled to had the records been correct then on the discovery of such error the board shall correct such error and shall adjust the payments which shall be made to the contributor or annuitant in such manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid

Section 20 This act shall become effective on the first day of July one thousand nine hundred and forty-three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—199

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,

Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock.
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kowalski,
Krepps,
Krise,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 828, as follows:

An Act to further amend section one and paragraphs (a) and (b) of section three and sections four and seven and amend section five of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" by changing the definition of "week" and "day" and by increasing the hours of labor and temporarily suspending certain restrictions on employment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section 1 of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as last amended by the act approved the fourth day of June one thousand nine hundred and thirty-seven (P. L. 1547) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "establishment" when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whomever payable

The term "person" when used in this act shall be construed to include an individual partnership or other unincorporated association corporation Commonwealth and any political subdivision thereof

The term "week" when used in this act shall mean [any] seven consecutive days which may begin on any day of a week and the term "days" shall mean [any] twenty-four consecutive hours which may begin at any hour of a day

Section 2 Paragraph (a) of section three of the said act as last amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 305) is hereby further amended to read as follows

Section 3 (a) Except as hereinafter provided no female shall be employed or permitted to work in or in connection with any establishment for more than five and one-half days in any one week or more than forty-four hours in any one week or more than eight hours in any one day Provided That one day of rest may be subdivided into two days of twelve hours each for women employes in hotels boarding-houses and in charitable educational and religious institutions at the discretion of the Department of Labor and Industry with the approval of the Industrial Board And provided further That females employed in charitable or welfare institutions operated on a non-profit basis shall be permitted to work for not more than ten hours in any one day which ten hours shall be all within one period of thirteen consecutive hours and not more than forty-eight hours in six days of any calendar week And provided further That during the present existing state of war between the United States and certain foreign countries and six months thereafter females may be employed or permitted to work in or in connection with any establishment for forty-eight hours in any one week but not to exceed ten hours in any one day or more than six consecutive days in any one week

Where the strict application of the schedule of hours provided for by this section imposes an unnecessary hardship and violates the intent and purpose of this act the Department of Labor and Industry with the approval of the Industrial Board may make alter amend and repeal general rules and regulations prescribing variations from said schedule of hours Provided That if it would be held hereafter by the courts of this Commonwealth that the power herein sought to be granted to the said Department of Labor and Industry is for any reason invalid such holding shall not be taken in any case to affect or impair the remaining provisions of this section

Section 3 Paragraph (b) of section three of said act as amended by the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1547) is hereby further amended to read as follows

(b) Whenever any female shall be employed or permitted to work in or in connection with more than one establishment in any one week or in any one day the aggregate number of hours during which she shall be employed or permitted to work in or in connection with such establishments shall not exceed forty-four in any one week or eight in any one day Provided That during the present existing state of war between the United States and certain foreign countries and six months thereafter females may be employed or permitted to work in or in connection with any establishment for forty-eight hours in any one week but not to exceed ten hours in any one day nor more than six consecutive days in any one week

Section 4 Section four of said act as last amended by the act approved the ninth day of June one thousand nine hundred thirty-nine (P. L. 306) is hereby further amended to read as follows

Section 4 No female shall be employed or permitted to work in any manufacturing establishment before the hour of six o'clock in the morning or after the hour of ten o'clock in the evening of any day except that in manufacturing establishments operating not more than two shifts females may be employed between the hours of six o'clock in the morning and twelve o'clock midnight Provided That employment in such cases shall not exceed eight (8) consecutive hours in any one day (exclusive of meal period) or five (5) days in any one week The provisions of this section shall not apply to managers superintendents or persons doing clerical or stenographic work And provided further That where the strict application of the night restrictions impedes or interferes with the war effort the Department of Labor and Industry with the approval of the Industrial Board may suspend the provisions of this section

Section 5 Section five of said act is hereby amended to read as follows

Section 5 No female under twenty-one years of age shall be employed or permitted to work in or in connection with any establishment before the hour of six o'clock in the morning or after the hour of nine o'clock in the evening of any day Provided That this section shall not apply to females over the age of eighteen years employed as telephone operators And provided further That where the strict application of the night restrictions impedes or interferes with the war effort the Department of Labor and Industry with the approval of the Industrial Board may suspend the provisions of this section

Section 6 Section seven of the act is hereby further amended to read as follows

Section 7 No female shall be employed or permitted to work for more than five hours continuously in or in connection with any establishment without a meal or rest period of at least thirty minutes which period shall not be considered a part of the hours of labor and no period of less than thirty minutes shall be deemed to interrupt a continuous period of work

Employes shall not be required to remain in the workrooms during the meal or rest periods required by this section Provided however That where the strict application of the thirty minutes meal or rest period impedes or interferes with the war effort the Department of Labor and Industry with the approval of the Industrial Board may suspend the provisions of this section

Section 7 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, this bill is a so-called war bill. It has the appearance of inviting us to cooperate with the war effort, because in its amendments it talks about being in effect only for the duration of the war and for six months thereafter. However I do not think the problem is as simple as that or that the question may be passed over lightly without pointing out its defects and without pointing out the dangers that we should seek to avoid.

Labor history in Pennsylvania is full of the fights that have been made over many years to accord the women workers of Pennsylvania certain protections against industrial abuse of labor and time, so as to preserve and to help women generally in industry. It is was not too many years ago, Mr. Speaker, when there were no restrictions whatsoever on women working in Pennsylvania. Incident upon incident has followed over the years that led finally to a public demand for protection of women in industry, so that today, Mr. Speaker, we know that women may not work more than forty-four hours in any one week. We know, Mr. Speaker, that women may not work for more than six days, excluding the Sabbath day in any one week, and we know that women may not work in any event after ten o'clock in the evening on any day.

First of all this bill would provide for the duration that women shall be capable of employment for forty-eight hours in any week, and the redefinition of the term "week" means that women are going to be invited and possibly under economic compulsion to be compelled to work on any six days of any week, including the Sabbath day.

Further, Mr. Speaker, women shall under the terms of this bill, by economic compulsion or otherwise be met with the situation where they might have to work after ten o'clock at night, possibly until twelve.

If we are worried about women in war industries, may I say to the members of the House, that for the past year or more women have been working in industry, in war industries from twelve o'clock midnight until eight o'clock in the morning, and they have been working all sorts of peculiar shifts that would make a joke and a mockery of the present law.

However, that has been done with the general approval of the public, has been done with the general approval of all persons interested in protecting the rights of women workers, and has been done only because it has been necessary to call upon woman power to work in the war plants of Pennsylvania. It has been done under the authority by direction and acquiescence of the Department of Labor in Pennsylvania and the Industrial Board, and if that procedure has been wrong there has been no open protest and no great public demand that it be eliminated or corrected. I think then, Mr. Speaker, that that with which we must be most concerned, the war industries, are amply taken care of without disturbing the present law. We feel that the other occupations or pursuits that might be affected by this bill would be the non-essential industries and the non-essential businesses, not that they are not necessary to the livelihood of persons or the profits of employers, but they are not necessary directly for the war effort.

There has been a universal movement in Pennsylvania that I have observed among business associations, voluntarily to meet and close their places of business at earlier hours than they had heretofore remained open. There have been efforts made to keep essential industries going in the performance of their duties, and employing people within a lesser number of hours per week so that this problem of manpower and womanpower might not be too great for them to cope with. Why, even saloons are closing in some places at twelve o'clock because they cannot get manpower and womanpower. This is as it should be, non-essential business and non-essential industry must perforce give way to the war industry, must restrict their activities, because on the one hand we cannot have the war materials that are absolutely essential and on the other hand have all of the non-essentials too.

The only industries that we ought to be concerned with are the non-essential industries. Recently in this House we passed a bill, which I hope will pass the Senate, giving the Governor extraordinary war powers. If any industrial problem arises that might impede the war work, on request from either the President of the United States or the Secretary of War or the Secretary of the Navy to the Governor he will issue a proclamation to suspend an act or a particular section of an act in order to take away an impediment to a war industry. So why must we now break down a long sought reform in the matter of employing women in industries merely on the suggestion that it is a war measure? This bill does not and cannot be termed a war measure; this bill is simply a wedge to put into the law something that it took many years to take out of the law, and the situation that it seeks mostly to correct it a situation that is well under control today, can be controlled in the future, and about which no one in public life has thus far protested.

I, therefore, suggest that the enactment of this legislation is not necessary, it most certainly is not vital, and it should not have the approval of this House, nor should it have the approval of any legislative body. It certainly should not become a law of the state of Pennsylvania.

Mr. LICHTENWALTER. Mr. Speaker, this has been a rather long tedious day. We heard remarks on this bill only today that the majority side of this House was trying to block Roosevelt's war program, that we were accused of not being concerned with the winning of the war, that we were trying to pay off election debts, that we were not properly passing legislation to take care of the boys when they come home. I want to say, Mr. Speaker, that I think this is the test of the sincerity, the real sincerity of the minority in their demands that we pass legislation which truly affects the war effort. I want to assure the gentlemen on the other side and the people of Pennsylvania that we on this side of the House will become no party in any way, shape or form to reducing the standards, the working conditions of female employes in Pennsylvania. But we do want to preserve, we want to take care of the boys who are fighting for democracy on all the fronts in the world. We want to take care of them and we want to see that there are some boys that will come marching home.

In this bill we are definitely trying to cooperate with the Commander-in-Chief of our armed forces, who has asked that industry voluntarily go on a forty-eight hour basis, and we are trying to cooperate in passing the proper legislation so that Pennsylvania which is the arsenal of democracy, producing better than one-fourth of the materials needed in the war program, may step up her production and even produce more tanks, more shells and more guns. Yet we find here on this bill the voice of opposition from the minority, who have accused the majority of this House with not being willing to cooperate, with playing politics and a lot of other things that certainly are not a part of this bill.

Yes, Mr. Speaker, I say that there is nothing wrong with this particular piece of legislation. We will admit that for a number of months the Department, with the approval of the Industrial Board, has been granting permits to the various war industries in Pennsylvania, and they have been permitted to work their female employes forty-eight hours a week within the restrictions of the present law, and we in no way wish to change those conditions. But we are here in session, meeting as the Legislature of Pennsylvania; we have granted certain powers temporarily to the Governor of this Commonwealth that he may suspend, when we are not in session, acts that are going to hinder the war effort in Pennsylvania. Certainly while we are in session and a Department comes before this body and says it is confronted with a problem, that there should be for the emergency war period a relaxation of the present law in order that they may meet conditions, not have many hearings and have many employers come before the board in Harrisburg, I certainly feel that we are only doing our duty and fulfilling the promises we made that we will cooperate with the Commander-in-Chief of our armed forces, that we will provide the proper legislation to relieve the bottleneck. In many instances we find war industries, because of the present restrictions in our laws, ask that we put in writing on our statute books in Pennsylvania that during this war emergency we are willing to relax these laws so that industry in Pennsylvania may produce more goods for the war effort.

Our Commander-in-Chief has not alone said that war industries should increase their hours, but that all industries should increase their hours, because by doing that we are going to relieve some of the non-essential industries that must provide some of the things that we all need in our daily living. To those industries we will give relief so that they can release more workers to go into the war plants in Pennsylvania. I certainly see nothing wrong with the relaxation of this law for the emergency period. With the opposition from the minority side and all the talk that we have heard about the majority not being willing to cooperate in passing bills that do not affect the war program, I am surprised to find this opposition, and I must certainly say that to me it proves the lack of sincerity in their demands.

Mr. LOVETT. Mr. Speaker, we realize that this type of legislation is very misleading. We realize that possibly this piece of legislation gives to the Department of Labor and Industry the right to do away with the thirty minute lunch period if it affects the war. Let us use a little bit of common sense. Could anybody by any stretch of imagination imagine that the situation in the state of Pennsylvania is so serious that we have to eliminate the thirty minute lunch period for women in industry? We have heard a lot of talk about the scarcity of labor. I come from a district that possibly has as much industry in its surroundings as any district in the state of Pennsylvania. We know from actual conversation with the men who are working in these plants, let alone the women, that there is no scarcity of labor today in these plants. I have no objection if it is a case of necessity in some of these plants, where there is absolutely a scarcity of men or women in order to produce the sinews of war. But I feel that this type of legislation comes with ill grace, due to the fact that we know in our own district that there is no scarcity of labor. We know that the women in our own district have asked to be furloughed that they may go into other districts in order to work in war industries, and they have been refused the right to be transferred into those other industries. I feel it is wrong, due to the fact that the Governor will have the power at the end of this session, we hope, in case of necessity, where it can be proven that it is necessary to change or eliminate certain provisions of the laws of this state, he may do so in order that the necessary industries connected with the war may go on. Therefore, I cannot see any reason at all for this type of legislation.

We realize in giving to the Governor that power, as long as the request is made by the Commander-in-Chief of this country, that in any industry or in any place in which the law would restrict men or women, working in industry, that the Governor would have the power to set aside such law. Now then why clutter up the calendar in an effort to pass legislation of this type, if we have already passed a bill in this House giving the Governor those extraordinary powers.

I say to you that I personally feel legislation of this type comes with ill grace. As I said before, when you come to the point where you eliminate the thirty minutes which women may have for a lunch period, then I say you have come to the point where the situation is pretty grave. I cannot agree with the majority floor leader when he said that this is the test to prove whether or not we on this side of the House are trying to stop the progress of the war or interfere with the war. We feel that the power that has been given to the Governor will be sufficient and we feel there will be no abuse of that power, but we feel that when you pass legislation of this type possibly there will be some abuse, and that is the reason I ask the Members of this House to vote against this bill.

Mr. READINGER. Mr. Speaker, due to the lateness of the hour, I am not going to prolong this debate. I simply want it known that the views which have been expressed by my colleague on this side are not concurred in by me, and I am going to vote for this bill.

Mr. LEONARD. Mr. Speaker, I rise to oppose this bill. House Bill 828 would tear down what it took labor so long to build up to improve the conditions that surround the women folks who aim to toil for a living in the factories,—our mothers and the mothers of the children who will be the America of tomorrow. Do you want them to go to work now and be put on night turns, which will give the employer an opportunity to pay them half the wages they have to pay the men. The employer is the man who wants this bill and it is not a show down as to whether or not this side intends to cooperate. The working people of America have demontsrated beyond a doubt on which side they are in fighting this war and they will go the limit when it becomes necessary to put our women folk in the factories. Yes, they will go in there if necessary without change in the laws, working night and day, to see that the boys that are shouldering the guns and making the fight for you and me are not in need of any of the facilities necessary to win this war.

We come to this assembly at this late date after the fight which labor has put up for all these years and find that there are still men who want to tear down the protection of the mothers of America of tomorrow. I don't believe you mean it. I am sure everybody here wants to protect the mothers and the wives, the sweethearts and the sisters and wants to see that they get a square deal, regardless of political affiliations. I am sure you don't want to make a political football out of the bill that would make slaves out of our mothers and our sisters. Surely you have not given serious thought to how serious this matter is and I challenge anybody in this House to say that the American working man and woman who has to toil for a living has failed to respond to the needs of this government in winning the war. We have not reached the point yet where it is necessary to replace men who are receiving a wage commensurate with the work performed, that would have to be set aside to permit women to go in there and work for possibly half the wage.

I am asking you to vote this bill down in the name of decency, in the name of the mothers and the sisters of America.

Mr. MORAN. Mr. Speaker, very briefly, I know all the members are getting tired and we want to go home. This is a very important piece of legislation, House Bill 828, Printer's No. 450. I especially wanted to tell the Members of this House that organized labor is absolutely against this bill. If this bill passes it will be used as an opening wedge to cut the rates of wages paid now in industry, and I ask the Members of this House to vote down this bill.

Mr. LICHTENWALTER. Mr. Speaker, to keep the record straight, as I said before, we in the majority in no way want to hamper, in no way want to jeopardize the position of labor in Pennsylvania, but we certainly feel that this bill will help the war effort, and that is the only reason for its introduction. We feel that the minority in opposing this bill, as I said before, certainly show its insincerity in the matter of passing legislation at this session that will further the war effort in Pennsylvania. We in no way, so far as the majority side is concerned, want to hamper or jeopardize labor's rights.

May I further state that I believe by action of the Federal government wages today are frozen. I do not see how it would be possible for an employer to cut the rates or any way to get around the payment of time and half-time for the hours that are worked over the Federal regulations.

Mr. YESTER. Mr. Speaker, it is not very often that I get up on this floor, but after hearing the remarks on the other side about the scarcity of labor, evidently the members on the other side do not realize that there is no shortage of labor. The trouble is that labor is being hoarded the same as everything else. The trouble is with the conditions that exist today. Your birth certificate is one of the problems, and question has not been settled. There are people who want to go to work. I know well in my own locality and throughout Pennsylvania there are plenty of people that want to work, but they cannot get work. In my own locality I know there are people who are working half time, supposed to be working steady, and yet you tell us there is a shortage of labor. I want to tell you, gentlemen, the sooner this is investigated the sooner you will find out that there is no shortage of labor.

Mr. LEONARD. Mr. Speaker, I desire to interrogate the Majority Floor Leader, the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LEONARD. Mr. Speaker, does the gentleman from Lehigh know of any manufacturers in Pennsylvania short of labor at the present time that can only be replaced by women?

Mr. LICHTENWALTER. Mr. Speaker, I believe if the gentleman will read the newspapers relative to statements by Manpower Commissioner Mr. McNutt, it would certainly seem to indicate that there is a shortage of labor not only in Pennsylvania but throughout the nation.

Mr. LEONARD. Mr. Speaker, I have been reading the papers, and they want men in the shipyards. You don't want to send women there, do you?

Mr. LICHTENWALTER. Mr. Speaker, is that an interrogation? I did not hear the question.

Mr. LEONARD. I thank the gentleman, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. LOVETT. Mr. Speaker, when the gentleman said that wages were "froze," when the gentleman said that labor was "froze"—

Mr. LICHTENWALTER. "Frozen."

Mr. LOVETT. Frozen, ——— thanks for the correction. When the gentleman said that labor was frozen—

Mr. LICHTENWALTER. Wages were frozen, Mr. Speaker.

Mr. LOVETT. Well now, just what did the gentleman say, Mr. Speaker?

Mr. LICHTENWALTER. I said that wages were frozen.

Mr. LOVETT. Wages were frozen, is that what the gentleman said?

Mr. LICHTENWALTER. Yes, Mr. Speaker, that is right.

Mr. LOVETT. Mr. Speaker, does the gentleman mean to say that when an employer hires a woman to go into industry that he must pay that woman the same wages that he pays a man who enlisted and went into the army?

Mr. LICHTENWALTER. Mr. Speaker, I don't know that I can answer that question.

Mr. LOVETT. Well, Mr. Speaker, that was the impression the gentleman left me under. He said that these wages were frozen, and regardless of whether they put men or women in they still get the same wages.

Mr. LICHTENWALTER. After all, Mr. Speaker, this bill has nothing to do with their wages. It is only a matter of adding four hours that they are permitted to work per week. We are not discussing wages. I think under the Federal law they are to be paid over a certain number of hours, they are to be paid time and half time. Probably many female employes would welcome the additional hours because certainly they would be making more money.

Mr. LOVETT. Mr. Speaker, was it the gentleman from Lehigh or was it I who brought up the question on wages? I don't think I spoke about the question of wages.

Mr. LICHTENWALTER. Mr. Speaker, I believe the gentleman from Allegheny, Mr. Moran, brought up the question of wages.

Mr. LOVETT. I took it from the answer of the gentleman from Lehigh, Mr. Lichtenwalter; that due to the fact that wages were frozen therefore it would not make any difference whether they put women in men's jobs or not. Is that what the gentleman wants to leave in my mind? Does he want me to believe that?

Mr. LICHTENWALTER. Mr. Speaker, I might say that the man's mind is probably confused because he seems to have me confused right now as to the matter of women's wages.

Mr. LOVETT. Mr. Speaker, may I ask the gentleman to clarify my statement? May I ask the gentleman if he feels that women in industry should be paid the same wages as men?

Mr. LICHTENWALTER. Mr. Speaker, I might refer the gentleman to the federal rules and regulations on the freezing of wages and freezing men and women in jobs today that are in war industries. I think if he will go to those rules and regulations that are set up he will get the answer.

Mr. LOVETT. Mr. Speaker, I might say to the gentleman that my understanding of the freezing of men and women in employment is that they are only frozen in certain industries and they are allowed to change in war industries. The only point I am trying to make is that he left in my mind, whether or not he left it in the minds of the other Members of this House I don't know, the fact that if we increase the hours of service for women they could be used to replace men, whether or not women would be paid the same salary as the men who left the industry or who would be laid off or who joined the Army or who went into war industry. I don't think the gentleman intended to leave that in the minds of the Members of this House, and I, therefore, say again that I do not feel that I am trying to hinder the progress of the war. I feel like some of the other men over here that there is no shortage of labor. There isn't in my district and I come from a district that has as much industry as any other district in the state. If we cannot state here honestly and truthfully that there is a shortage of labor and that there is a necessity for working these women these extra hours, eliminating the thirty minute lunch period, then I say, gentlemen, that there isn't any necessity unless we can prove that there is a shortage. I also said when I was on the floor before that if conditions become such that it is necessary, we have given to the Governor of this state the power with which to meet the emergency, and I cannot see any necessity for this particular legislation.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Moran, Pettit and R. E. Reese requested a verification of the roll.

The roll was verified and was as follows:

YEAS—111

Alspach,
Auker,
Barton,
Bonawitz,
Boorse,
Bower,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook,
Cooper,
Costa,
Coulson,
Dague,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb.
Ewing,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Readinger,
Reagan,
Reese, D. P.,
Riley,
Robertson,
Rose, W. F.
Rowle
Royer,
Salus,
Serrill,
Simons,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,
Tiemann,
Turbett,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—63

Baker,
Barrett,
Bentley,
Bentzel,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Coleman,
Cordier,
Corrigan,
Croop,
Cullen,
Dalrymple,
Denman,
Duffy,
Elliott.
Finnerty,
Goodwin,
Green,
Hamilton,
Harris,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Kitchen,
Lane,
Leonard,
Levy,
Livingstone,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Reese, R. E.,
Reynolds,
Schuster,
Skale,
Smith,
Snider,
Stank,
Swope,
Tate,
Trent,
Weiss,
Welsh,
Wright,
Yester.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 873, as follows:

An Act to amend section one and further amend section four of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" by changing the definition of week and by increasing the working hours of minors between the ages of sixteen and eighteen

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section one of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors By forbidding their employment or work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commission of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relations thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wherever the term "establishment" is used in this act it shall mean any place within this Commonwealth where work is done for compensation of any kind to whomever payable Provided That this act shall not apply to children employed on the farm or in domestic service in private homes

The term "person" when used in this act shall be construed to include any individual firm partnership unincorporated association corporation or municipality

The term "week" when used in this act shall mean [any consecutive] seven consecutive days which may begin on any day of a week

The term "minor" when used in this act shall mean any person under twenty-one years of age Wherever the singular is used in this act the plural shall be included and wherever the masculine gender is used the feminine and neuter shall be included

Section 2 Section four of said act as amended by the Act approved the nineteenth day of July one thousand nine hundred thirty-five (P. L. 1335) is hereby further amended to read as follows

Section 4 No minor under eighteen years of age shall be employed or permitted to work in about or in connection with any establishment or in any occupation for more than six consecutive days in any one week or more than forty-four hours in any one week or more than eight hours in any one day [except] Provided That during the present existing state of war between the United States and certain foreign countries and six months thereafter minors between the ages of sixteen and eighteen years shall be permitted to work forty-eight hours in any one week but not to exceed ten hours in any one day nor more than six consecutive days in any one week And provided further That messenger boys employed by telegraph companies at offices where only one such minor is employed as a messenger in which case such minor shall not be employed for more than six consecutive days in any one week or more than fifty-one hours in any one week or more than nine hours in any one day

Section 3 The provisions of this act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. COHEN. Mr. Speaker, most of the arguments that can be made against the passage of House Bill 873 have been made in regard to House Bill 828, which has just passed by a slim majority. My congratulations to those Members of the House who saw their duty as they should have and voted "no" on the bill. But I suppose since the argument was somewhat the same I might take the opportunity to make some slight answer to the statements of the gentleman from Lehigh, Mr. Lichtenwalter. I am rather happy that these two bills have come up because for the first time in this session we have finally reached a well defined, stated principle of the majority party with respect to one, labor, and two, the war effort. The gentleman's statement about cooperating with the war effort, I take only to be a wary approach to the full confession of the administration's defects and deficiencies in the desire to be whole hearted and sincere about the war effort.

Mr. Speaker, this particular bill is going to allow the wholesale employment of high school boys. I have heard some stories down in Philadelphia that some of these boys of high school, under eighteen and above sixteen, are even now working in the war industries, working down in the Sun Ship, where, as a matter of fact, they are putting in forty-eight hours a week and then coming back to school, and that is where they do their sleeping. I cannot see where there is any plan or any well reasoned idea in the administration's approach to this problem. The emphasis on the youth in America, we must sadly confess is for the preparation for the fighting to be done in the war. We have abundant testimony and proven facts that the best fighting is done in this machine war by the younger men. As a result, Mr. Speaker, both the Army and Navy Departments have requested the high schools to give more separate pre-induction courses. The Army and Navy Departments have found it necessary to have the cooperation of the various school districts by giving these pre-induction courses in the high schools. These pre-induction courses are directed principally to those kids sixteen, seventeen or eighteen, and their job, we must sadly confess, is to prepare for fighting. What I am afraid of, Mr. Speaker, is that these two bills as a matter of fact are just the beginning of the final attitude of the Republican party to reopen the factories of Pennsylvania to child labor. Pennsylvania has stood condemned and Pennsylvania still stands condemned with the passage of this bill as being desirous of having child labor.

I might respectfully submit for your examination an article which appears in this week's Collier's, a national magazine. It was entitled "Child Labor Cheap." I believe,—I have not read the article but a person whose intelligence and whose ability to properly digest and translate the article is my authority,—and I am told that Pennsylvania is held up as an example throughout America of how the child labor problem should not be handled. Don't forget again, that this bill does not merely say that hereafter boys under eighteen and above sixteen may work forty-eight hours a week, but it also says that they can actually work six days in the week. They can work on the Sabbath day too. I have heard an awful lot of speeches in my seven years here about the Sabbath and I say that in most instances I have voted to preserve, as others have, to preserve the Sabbath. You are going to make it easier with the stake of high wages in war industry for kids to work in war factories and other factories too. You are going to make it tougher for them to get the education their Uncle Sam's War and Navy Departments want them to get now to prepare for fighting. You are going to make it a little bit more difficult for them to observe the Sabbath. I might say to you that a great many of us older people might have been a little more attentive to our Sabbath teachings in our youth, and it does not become us today to put anything in the way of diminishing the Sabbath or the religious training of our younger people in our schools today.

I think this is another bill that sets a standard, and I am happy to know that the majority party has measured up to a standard. I have stated it clearly, this is the first time in this session that we have had such a real expression from them. On that basis we will accept the challenge. It is too bad we got this so late in the session but we will know now how to guide ourselves with respect to humane and liberal legislation.

Mr. SALUS. Mr. Speaker, it is just forty years ago this month that I got up on the floor of this House, this very floor, and inaugurated or started at least in this House a bill on child labor. It was the first bill that was ever introduced in the state of Pennsylvania. It had not the backing of any labor organization, it had not the backing of any social organization, it had no one's backing, not even the administration backing. It was the first bill that was ever presented in the Halls of the Legislature in Pennsylvania on this subject. For forty years or near that I have been a Member either of this House or the Senate, and I have never yet voted against a labor measure. My labor record, I think, is one hundred per cent, and for anyone interested in labor to get up on the floor of this House at this time and say these measures have a political significance, is going far beyond the real truth.

My friend has said something about working on the Sabbath. Yes, Mr. Speaker, these men work on the Sabbath. If I am correct in my understanding, this is not only man's war, it is God's war, and if it is not God's war, and if America has not the backing of God Almighty, then we are in sad plight. Yes, this is God's war, and to win God's war we must forget our Sunday School education. We have got to set aside our religious education. It may be said that the Christian Sabbath is not my Sabbath. I am living in a Christian country where the majority of all the people are Christian people and their laws are my laws, for I abide by the will of the great majority, and I am thankful to the Christian people that they pay due deference to our Sabbath law. We of the Jewish faith work on Saturdays, which is our Sabbath, and we are happy in the fact that God gives us the strength to work on our Sabbath in order to shorten the time of this terrible war. I think it comes with bad grace for any man to say that this is a political issue. There are no politics in this issue. Everything in these two bills comes from Washington. We are following in the steps of their great commander and our great commander and to charge these bills against any political administration to my mind is very lowly, disgusting and dishonest. If these men were concerned in their desire to help the Governor of this Commonwealth to work side by side with the President of the United States and all other persons interested in the early termination of the war, they would not mix bills like these with what they call lowly politics. I have heard much tonight about non-essential industry. There is no non-essential industry in America today. All industry is essential, and those that are doing work other than what is being used for war production are industries that are helping the home fires to burn. They are helping those who are working in these war industries to get that support and substance that they need in order that they can give their best endeavors to those who are working in these war industries.

Then, Mr. Speaker, I heard a further complaint about putting boys of sixteen years of age to work at hard labor. I want to say to you that no fountain pen, no pencil, no eraser makes a good soldier. It is physical strength that is needed most, and in the war industries and in the establishments where they can develop their physical strength they will develop themselves into being the kind of soldiers that all America will be proud of. I am for these bills because I believe that I am an American. I am for these bills because I believe that all upright men who have cast aside political affiliations should be, will be and ought to be for these bills, and those that are against this will have their day of reckoning ere long.

Mr. BROWN. Mr. Speaker, I want to change the tempo of our thinking just a little bit. I am not excited about House Bill 873, nor about House Bill 828. I think that we're all doing a little hiding behind the truth. We do not need either one of these bills to justify the war effort.

My colleague, Mr. Brigerman and I on February 23, introduced a bill, House Bill 381, prohibiting discrimination by industry on account of race, color or creed. That bill is still in committee and will probably stay there. I was just reading a report, that was published in one of the leading magazines of this nation several months ago. That report said that over nine thousand industries in this country of ours, a great many in the Commonwealth of Pennsylvania, absolutely bar their doors to the people of my race. Let us not kid ourselves; let us be fair. If we were the men we ought to be, if we believe in right and righteousness, and I believe we do, but we have just not risen to the occasion, we would demand that these firms employ able-bodied men regardless of race, creed or color, and if we did so we would not need any one of these bills. But as long as this door is closed in our faces, because of our color, women and boys will have to work. If the Commonwealth of Pennsylvania would prefer that the women and the boys work, rather than able-bodied men, because of color, you have no alternative but to pass these two bills. Therefore, I am going to vote against the bills. It will do nothing to help House Bill 381 which is now in committee. We will do nothing to meet this problem squarely until we demand that industry in this country, which is the land of the free and the home of the brave, does not close the doors of industry in the faces of men who would work and would be glad to do their share, because of their color. I say to you, Members of the House, do something to help me relieve these boys and relieve the women of our Commonwealth. We can furnish you with all the labor you desire, and you won't have to pass these bills, you won't have to stay here all night arguing. We will have done our part to meet the demand of industry in this Commonwealth and industry in this nation.

Mr. LOVETT. Mr. Speaker, I suppose I am becoming somewhat of a pest tonight, but I realized when I got up on the floor of the House tonight that these bills faced us. I want to disagree with my ex-Senator friend. He leaves the impression that this is God's war and man's war. I say to you that this is man's war and not God's war. I realize, gentlemen, that the boys that are taken into these factories will not come out of the homes of the men who are well-to-do in the state of Pennsylvania. They will see that their boys don't go down into the bowels of the earth and come out worn and torn and able to do nothing. Let's be fair, gentleman, and I ask you tonight, don't look at this thing from the standpoint of a few from the healthy, able-bodied boys, sons of the men who sit in this House, and the men who are well-to-do in this state and are well able to take care of their boys. Think of it from the standpoint of the boys who have lived through the depression, who were on our relief rolls, who were underfed, undernourished, and now you ask them to go into the mines and into the factories in the state of Pennsylvania. Gentlemen, if I stand here all night, I want to make you realize that we are not being fair with the people of Pennsylvania and the boys that will have to shoulder the burden of this type of legislation.

Our ex-Senator friend said that forty years ago he introduced legislation to prohibit child labor. In 1937, we fought against continuing child labor; we fought against the sweat shop. That was only back in 1937. Let us not be fooled. We realize that the men we expect to take the place of possibly the boys that will be called to the other side, cannot come out of the mines and the factories undernourished and worked to death. I say to you, gentlemen, if you are fair, you will defeat this bill anyway.

Mr. LICHTENWALTER. Mr. Speaker, first, I would like to answer the gentleman from Allegheny, Mr. Brown. I think that we on this side of the House realize the problem that confronts the members of Mr. Brown's race. I think he will also agree with me that one of the things that has prevented his people from being employed in industry in Pennsylvania and throughout the nation, one of the primary factors, is because industry today in Pennsylvania and throughout the nation, as far as its employes are concerned, belong to labor groups and labor unions. I think he will also agree that we tried to help that particular situation in an act that was passed in this House, House Bill 384, on March 10, an amendment to the penal code of Pennsylvania making it a crime to discriminate because of race, color or creed. I think this particular problem is not just one for the Legislature of Pennsylvania. We feel that we have expressed in this particular bill that passed here on the floor of this House, that we are certainly willing that there should be no discrimination because of race, color or creed.

In answer to the gentleman from Westmoreland, Mr. Lovett, I certainly do not feel that in the passage of this bill for the duration of the war that we are in any way jeopardizing the rights of labor, or that we want to take from them any of the privileges they now enjoy, but certainly if you will scrutinize the newspapers, every day of the week you can readily ascertain from reading them that there is a shortage of manpower. You can pick up any daily newspaper and find therein page after page of want ads for war industries, pages asking for male employes and pages asking for female employes. Certainly this situation can be relieved in order to increase our production in Pennsylvania by allowing for the duration of this war an increase of four hours per week for those boys that are working in those industries between the ages of 16 and 18.

There was a question raised as far as the day of the week is concerned, and allowing them to work on Sunday. May I quote from Interpretative Bulletin No. 4 of the Federalized Fair Labor Standards Act, issued by the United States Department of Health, the Wage and Hour Division, revised December 19, 1939.

> The number of hours that may be worked in any work week free of time and one-half overtime compensation. The work week consists of seven consecutive days, which need not coincide with the calendar week. It may begin on any day and any time of any day. The beginning of the work week may be changed if the change is intended to be permanent and not to evade the overtime requirement of the act.

There is certainly nothing in this particular bill we are now asking to be passed by the Pennsylvania Legislature that would do anything different than what we find in the Federal Fair Labor Standards Act. Let me say that this is definitely a war measure and I ask the Members on both sides of the House to prove their sincerity by passing this type of legislation.

Mr. BROWN. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. BROWN. Mr. Speaker, will the gentleman from Lehigh, Mr. Lichtenwalter, give me his assurance that as the Majority Floor Leader he will use his influence to help us get House Bill 394 out of the Senate Committee, that passed this House on March 10? It is still in the Senate committee on Labor and Industry.

Mr. LICHTENWALTER. Mr. Speaker, as far as my good offices are concerned, I will certainly be very happy to talk to the Chairman of the Commitee in the Senate, and I would very much welcome the company of Mr. Brown at that time, to see if we cannot move that particular bill.

Mr. BROWN. Mr. Speaker, I would rather the gentleman went without me. I feel he can do more good. I also want to know whether or not the gentleman will demand for us and ask for us the passage of House Bill 394.

Mr. LICHTENWALTER. Mr. Speaker, I do not particularly like the word "demand." After all, I cannot control the actions of the Senate.

Mr. BROWN. Request, Mr. Speaker.

Mr. LICHTENWALTER. Mr. Speaker, I think that the expression of the Members of the House on the passage of that bill which passed by a vote of 202 to 0, that we have expressed ourselves and our desires as far as the merits of the bill are concerned. I will certainly make the request, but no demand.

Mr. BROWN. Mr. Speaker, I want to thank the Majority Floor Leader. I feel if he makes the request, as I understand things are going through here pretty fast now, that any time the majority of the Senate requests anything of the majority in the House it generally goes through, and when the majority of the House requests anything of the majority of the Senate it generaly goes through, and I feel very much relieved. I am sure that next week we can look with favor upon this bill appearing on the floor of the Senate.

I recognize the fact that we have our problems in the labor unions, but the labor unions are not above the law, and if the labor unions, as they have, and as I have fought here on the floor of the House, close their doors in our faces, then the Legislature should see that the labor unions don't do that. It is no excuse for any of us in the House to try to hide behind the labor unions. The one thing I want to say is, here is this great reservoir of labor, ready, willing and able to work and all I'm asking this Legislature to do is to see that they be given an opportunity to work. I want to assure the Members of the House that they will be doing America a great favor, for after all, what does it matter to the men on the front, whether the bullets were made by black hands or white hands? He does not have time to stop to see who made the bullets. We have the men to make the bullets and all that we ask is that we get the law to give us the opportunity.

Mr. PETROSKY. Mr. Speaker, I want to sort of disagree with the ex-Senator from Philadelphia, Mr. Salus, insofar as he says that there is no business that is nonessential, because frankly I wish to say that I feel that the business of this present Legislature is really nonessential.

Mr. Speaker, in regard to House Bill 873, Printers' No. 451, I feel that the piece of legislation before us should be so labelled, inasmuch as by argument upon this floor it has been duly proven to be unnecessary, in view of the fact that the Governor has been given power to curtail or suspend such things as we have before us today. So why duplicate the record, and why not admit the fact that this is possibly one of the promises of the administration to the financial angels of this present administration. I say to you, that I feel, and labor feels, that these bills that are before us at the present time are a backslide from the social and labor gains that we have had in the past. These are the opening wedges, wedges that those of the big interests would wish to drive in in order to bring back the child labor and the sweat shops of yesterday. So we say to you that we need such legislation. We certainly have the power to take care of the emergency at the present time in the hands of the Governor. So why place this legislation upon the statute books, which will not be erased, but which will continue if those certain reactionaries hold the balance of power in the state of Pennsylvania. I am asking the membership on both sides of the House to refute the demands of those interests who wish to bring back those unsanitary days when child labor was exploited in Pennsylvania. By bringing back these measures that will bring back child labor and sweat shops in Pennsylvania, we of the Commonwealth of Pennsylvania are taking one of the biggest backward steps in the social reform progress which was so ably inaugurated by Governor Earle right here in this building on Capitol Hill.

Mr. McMILLEN. Mr. Speaker, I think perhaps at this time when both sides have made their claims—each side seems to be convinced that it is right, each side seems to be thinking that it is aiding the war effort—I feel that a letter that came out of Bataan on January 31, 1943 is worth reading for the benefit of this House. I myself am certain that I do not want to do anything that will deprive any child in this state of its rightful heritage and opportunity, but I think, gentlemen, that under the circumstances and under the conditions that we find ourselves in today we are making the choice between setting aside a few things that we have defended temporarily and complete defeat. I feel for my part that I am willing to set aside temporarily some of those things in order that we may guarantee to the boys and girls of the future and those who may be temporarily put to work the right to come back and live in a land that is worth living in. I say to you, gentleman, what good will it be if we apply these standards and lose the backbone that is upholding the country that stands by these standards and these children.

The letter that I hold in my hand was given to me by a man sitting in this House tonight. It was written to a man who works for his company. This man has two sons in the service, the one a marine, the other in the army. When the marines were on their way out of Guadalcanal, the boy in the marines met his only brother on the way into that area to hold what they had taken. This boy is writing home to his father previous to leaving. He says:

> "Dear Dad: From about 10:00 a. m. till about 2:30 p. m. it is 130 in the shade. We run around in cut-off slacks and sometimes nothing. We are all as black as ink now. One merely has to sit still and the sweat literally runs off. We eat two meals of questionable character a day. At night we must wear slacks and shirts because of the malaria mosquitoes. We take

atabrine tablets to combat the ravages of the fever which we will get sooner or later. I spent Christmas day in the hospital with the 'trots' which were awful. New Year's eve the Japs bombed us and not for the last time. One has the most helpless feeling when a Jap bomber is overhead in the dark. We all have fox-holes right by our beds (that's hell) so we can jump into them at a moment's notice. They are about four feet deep and long enough to lie face down in. We cover them with logs and dirt to stop falling shrapnel, we hope. Though I have been bombed more than fifty times my stomach still ties itself into knots when I hear those bombs whistling towards me. Yes, they make a rushing sound and you break out in a clammy sweat and think 'Dear God, where is it going to hit'? They have come too close for comfort many a time. Sometimes we are up all night with raids, and then have to work all day. Of course we are bombed and strafed in the day time, too, but I don't mind that because you can see and shoot back. Also our air corps can go after them in the day time.

"Another test of the Jap snipers who are numerous. These are more scary but more fun as they snipe only in the daytime when we are working. You can hear the pop of their rifles, then the bullet goes 'zing', and you know they are shooting at you from some nearby tree in the jungle. They are damn clever at camouflage but our stinco shots, so we play hide and seek with them until one of us gets knocked out. So far so good for Richard.

"Here there are no stores, no movies, no women, black or white, no U.S.O., no stage door canteen, 'no nothing.' The amusement angle is nil. We are too busy working and trying to stay alive. The government gives us our cigarettes and a little hard candy once in a while. Still the only complaint I have ever heard is about the people back home. Here the men live weeks at a time in mud or dust clutching their rifles for their lives. No baths, no shaves, no clean clothes, underwear rotting on their bodies, clothes wet at night and scorching hot by day. Noise, mud and blood, screams of agony, nerves shot to hell, by ache and strain. What's wront at home? Is everyone too busy stealing a little extra coffee or gas—too interested in their own personal comfort or the entertainment of the boys back at home? No, it's not fair. The American soldier can always find amusement for himself if he has to. The money wasted back there could be much better spent on guns, ships, and planes. God, how we need planes! Ask any marine or soldier or sailor who has dodged bombs or shells or subs what they think of these things. I haven't blown my top. Maybe I have over-exercised. But I have seen lads from eighteen years old get blown up, men with legs gone, with hands blown off, pain and misery in their eyes. Still no complaint. They are not sorry they did their bit and more besides, and are only sorry they are out of it. So help me God, I wish everyone back home could see the ones who are really in this war. No, I am not shell-shocked or sorry for myself. I am not trying to get sympathy from anyone because I have had it a lot easier than a lot of others. I am still whole and alive. Yes, I have changed. My brother, eighteen years old, a marine, put in five months of this hell. I saw him before he left. We talked it over. He is an old man at eighteen. Not marked up, but the childish fun of that age completely obliterated by sight of death and pain. Don't spend your money on amusement for soldiers. Save their lives with guns and planes, that's what we want out here, and a little note once in a while of love and praise. It means so much and costs so damn little. I hope I haven't exaggerated but you can't exaggerate a premature death and I am not a flag-waver and I don't want to be a blow-hard but something must be done about the misguided energy back home."

I think that is where the story lies, a lot of misguided energy is spent at home. We have spent a lot of it here. It is time that we get these people into these factories who can answer these ads in the newspapers, who may produce these guns and shells. Let us put these boys and girls where they can do the work that is suitable for them, and their work will be suitable. Let us release the men who can go out into the mills and do this heavy work. Our Manpower Commissioner, Mr. Paul McNutt, is going to call down on us a manpower draft, is going to draft us and put us to work where he wants us. In fact, he has frozen us where we are, and in many cases has prevented us from getting a better job than we have under certain conditions. Who says, there isn't a man shortage? Paul V. McNutt? And who is he? Assistant to the assistant to the President, I would say, the man who is looking after these problems. He says there is a shortage. Now, does the minority side of this House want to refute the statement of Paul V. McNutt, the leader of the manpower of this nation, and say that there is no shortage? Gentlemen, you had better not get your wires crossed. Your own President, my President, your commander-in-chief, my commander-in-chief, I mean the commander-in-chief who put Paul V. McNutt where he is today, he says there is a manpower shortage, he says that something has to be done about this, and yet you on the floor of the House stand up and try to tell us there is no shortage, that nothing has to be done, that we can go through the way we are. I know a man in my own county who did not lift eight acres of good potatoes last year because he could not get the help. His own wife went down to a bed of illness for three months because she herself tried to harvest that crop of potatoes. I tell you that boys from 16 to 18 can pick potatoes and other work on the farm, they can milk the cows and relieve these men who can go into the mills to do heavy work. I have done it since I was 12 years of age. Maybe it did stunt my growth a little, but I can say right here that I thank God that I live in a land where I could secure an education for myself through my own efforts and through the efforts and assistance of those around me, that I could be privileged to come here as a kid like that. This means more to me, gentlemen, than simply upholding a standard that after all will amount to nothing if we do not uphold this type of government under which we live.

Mr. LEONARD. Mr. Speaker, I rise to oppose House Bill 873. Now, we are bringing in the war here, and maybe I'd better qualify before I start talking. Members of the House, one of the first to be blown to pieces at Pearl Harbor was my grandson, and my two sons have been in the army since two years ago. So, I believe I know whether or not we on this side are interfering with the war effort. Great stress has been laid here on the shortage of labor. Yes, there is a shortage of skilled mechanics, not of labor, but of skilled mechanics. A lot of men are ready to go to work, but they don't want them in the picture. They do want these boys 16 years old to go in and take the place of these men, because the boys receive a minimum wage, whereas the man will receive the higher wages for the job. You want the 16 year old boy to take the job.

The other side has said that the manpower agency wanted this bill. I don't know whether they want it or not, but if you want my opinion I am perfectly satisfied in my own mind, and this opinion is based on my experience, this bill is the offspring of the Pennsylvania Manufacturers' Association and nobody else. Why do I say that? If we are short of labor and we need 16 year old boys you know as well as I know that the President will issue an executive order that conditions are such that it becomes necessary to do so, and 16 year old boys and girls will go to work—and old men. They are working now too. There is nothing in the way of the Federal government to get all the aid necessary.

Information was made here that the labor unions were keeping the colored men out of the factories, mines and mills. I happen to be a member of an organization which was founded in 1876 which functioned from that time up until December 31, 1942. This organization passed out of existence and transferred its affiliation to the United Steel Workers. I have maintained my membership in one of those locals up to today. I am not on the payroll of the labor movement. I will say to you that the Amalgamated Association of Iron, Steel and Tin Workers of North America was the very oldest organization in existence, and the constitution of that organization specifically provides that all those working in and around steel mills were eligible for membership, regardless of creed, color or nationality.

Mr. Speaker, I have in my hand here the constitution of the International Mine Workers of America, effective November 1, 1942 and I desire to read into the record article 2:

> "Object: First, to unite in one organization, regardless of creed, color or nationality all the workers eligible for membership, employed in and around the coal mines, coal washers, coal processing plants, coke ovens, and such other industries as may be designated and approved by the International Executive Board of the American Continent."

That is the part of the organization that I am familiar with, and the position which they take on this question. Maybe the Pennsylvania Manufacturers' Association could do something about the bill, and if we could remove that influence, possibly we could get some action on the bill. I think I am right that this legislation is unnecessary because if conditions get so that it will be necessary for 16 year old boys to be put to work, we will get the order from the commander-in-chief, our commander-in-chief, won't we? If I am wrong in that, I suggest that those who know better correct me. I ask you to oppose this bill on those grounds.

Mr. LICHTENWALTER. Mr. Speaker, are we tc understand from the remarks of the gentleman from Allegheny that we can get further in this war by awaiting executive orders, executive edicts, or executive decree, I believe he said, rather than by legislative processes? I for one, in the passage of these bills want to stay by the democratic processes. Let us meet these problems as we see them, by legislative processes rather than await some particular order or executive decree, as the gentleman has stated.

Mr. LEONARD. Mr. Speaker, in answer to the gentleman from Lehigh, Mr. Lichtenwalter, I want to say that the nation is at war, and the commander-in-chief has been empowered with the authority to do the things which are necessary to win the war. I am opposed to legislative acts that will weaken the child labor law, that the literal minded people of this state fought so hard to place on the statute books.

I am surprised at the ex-Senator from Philadelphia who said that forty years ago he was the first man to advocate child labor laws, and then forty years later he comes along and tries to tear them down.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Cohen, Lovett and Finnerty requested a verification of the roll.

The roll was verified and was as follows:

YEAS—108

Alspach,
Barton,
Bonawitz,
Boorse,
Bower,
Brice,
Brunner, C. H.,
Cadwalader,
Calvin,
Campbell,
Cook
Cooper,
Costa,
Coulson,
Dague,
Dennison,
Depuy,
Dix,
Elder,
Ely,
Erb,
Ewing,
Flack,
Fleming,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gillan,
Goodling,
Gorman,
Greenwood,
Gross,
Gyger,
Hall,
Hannon,
Hare,
Haudenshield,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kline,
Kowalski,
Krepps,
Krise,
Laughner,
Lee,
Leisey,
Leydic,
Lichtenwalter,
Livingstone,
Madigan,
Mahany,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Moore,
Moser,
Muir,
Murray,
Nowak,
O'Dare,
Reagan,
Reese, D. P.,
Reilly,
Riley,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Salus,
Serrill,
Simons,
Sorg,
Stockham,
Stonier,
Taylor,
Thrasher,
Tiemann,
Van Allsburg,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Yeakel,
Fiss,
Speaker.

NAYS—60

Baker,
Barrett,
Bentley,
Bentzel,
Boory,
Bradley,
Brigerman,
Brown,
Brunner, P. A.,
Burns,
Chervenak,
Cohen,
Cordier,
Corrigan,
Croop,
Dalrymple,
Denman,
Duffy,
Elliott,
Finnerty,
Gates,
Goodwin,
Green,
Hamilton,
Heatherington,
Herman,
Hersch,
Hunter, B. F.,
Kirley,
Kitchen,
Lane,
Leonard,
Longo,
Lovett,
Maxwell,
Modell,
Mooney,
Moran,
Munley,
O'Connor,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reese, R. E.,
Reynolds,
Schuster,
Skale,
Smith,
Snider,
Stank,
Swope,
Tate,
Trent,
Weiss,
Welsh,
Wright,
Yester,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. PETROSKY. Mr. Speaker, I rise at this time to make a motion.

The SPEAKER. What is the nature of the motion?

Mr. PETROSKY. The motion is under rule 40 of the House to discharge a committee from further consideration of a bill.

The SPEAKER. The motion is not in order while we are on the calendar. The Chair will accept it under the order of business of resolutions. Will the gentleman kindly send his motion to the desk in writing. A written motion is required.

QUESTION OF INFORMATION

Mr. PETROSKY. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Westmoreland will state his question of information.

Mr. PETROSKY. Mr. Speaker, under House Rule 40, there is no requisite for a written resolution to discharge a committee.

The SPEAKER. Will the gentleman please look up rule 84?

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 1044, entitled:

An Act to amend the act, approved the sixteenth day of July, one thousand nine hundred and forty-one (P. L. 400), entitled "An act to protect the debtors, obligators or guarantors of debts for which judgment are entered or may be entered, and owners of real property affected thereby, and others indirectly liable for the payment thereof, by prescribing the method of fixing the fair market value of such property sold on execution, and limiting the amount collectible thereafter on such judgments," by clarifying certain provisions of said act; extending various provisions thereof so as to apply to certain proceedings involving real property located outside Pennsylvania; prescribing a procedure for securing record satisfaction of certain judgments by court order where the plaintiff in execution proceedings failed to file, within the time prescribed by said act, a petition to fix the fair market value of real property sold to the plaintiff under such execution proceedings.

The first section was read.

On the question,

Will the House agree to the section?

Mr. SKALE offered the following amendments:

Amend sec. 1 (Sec. 1.1), page 2, lines 12, 13 and 14, by striking out the words "The procedure prescribed by this act shall apply with respect to real property located outside the Commonwealth of Pennsylvania in" and inserting in lieu thereof "In."

Amend sec. 1 (Sec. 1.1), page 2, line 17, by striking out the word "such."

Amend sec. 1 (Sec. 1.1), page 2, line 22, by striking out the words "In any such case."

Amend sec. 1 (Sec. 1.1), page 3, line 2, by inserting after the word "act" the following: "Such petition shall be disposed of, and the fair market value of the real property sold in the other state shall be fixed in the manner provided in the act to which this is an amendment. After the determination of the fair market value of the property sold in the other state, the debtor, obligor, guarantor and any other person liable directly or indirectly to the plaintiff or plaintiffs for the payment of the debt shall be released and discharged of such liability to the plaintiff to the extent of the fair market value of said property as previously agreed to by the plaintiff or plaintiffs or determined by the court, less the amount of all prior liens, costs, taxes and municipal claims not discharged by the sale, and also less the amount of any such items paid at the distribution on the sale, and shall also be released and discharged of such liability to the extent of any amount by which the sale price, less such prior liens, costs, taxes and municipal claims exceed the fair market value as agreed to by the plaintiff or plaintiffs or fixed and determined by the court as aforesaid, and thereupon petitioner may proceed by appropriate proceedings to collect the balance of the debt.

On the question,

Will the House agree to the amendments.

BILL AND AMENDMENTS RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill together with the amendments be recommitted to the Committee on Judiciary General for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. SKALE. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. SKALE. Mr. Speaker, is there anything about this bill or the amendments that the gentleman does not understand and would like to have explained?

Mr. LICHTENWALTER. Not at this late hour, Mr. Speaker. I think the committee is very anxious to study this amendment and the chairman of the committee has asked me to have it recommitted so that the committee can give it proper study and necessary thought as to whether or not we should insert these amendments.

Mr. SKALE. Mr. Speaker, does the gentleman know that the committee has had this bill for possibly five or six weeks and has given the matter proper study? In addition to that the bill was in the hands of the subcommittee where it received study, after which it was reported out on the floor of this House?

Mr. LICHTENWALTER. That is probably correct, Mr. Speaker, but I do not believe that the committee has studied the amendments and we are going to return the bill so that the committee will have the opportunity to study the amendments, and whether or not they should be inserted.

Mr. SKALE. Mr. Speaker, isn't it true that this bill and the amendments are now being referred back to committee for the purpose of pickling because it is a Democratic sponsored bill?

Mr. LICHTENWALTER. Mr. Speaker, I think I explained the reason before.

Mr. SKALE. Mr. Speaker, I thank the gentleman.

I realize now the fate that is in store for this bill and the amendments. In the 1941 session I worked on the deficiency judgment bill for many months. Previous sessions of the legislature passed deficiency judgment bills which were declared unconstitutional. We finally succeeded in passing one which the Supreme Court of Pennsylvania upheld as constitutional. Now, there are certain things which are not covered by that bit of legislation, and it is natural that when a subject is first legislated upon, or subsequently items occur which could not have been foreseen, and that is the situation now, and that is the situation which we are trying to remedy by this bill.

Mr. Speaker, let me explain to the membership of this House what the bill does and what the amendments do.

The SPEAKER. The gentleman will please confine himself to the motion to recommit? The gentleman knows that the merits of the bill may not be discussed now.

Mr. SKALE. Mr. Speaker, I shall confine my remarks to the motion and against recommitting this bill but in doing so I must point out the merits of the bill. For that reason my remarks are in opposition to the motion.

The SPEAKER. The gentleman is confined to the motion to recommit, and may not discuss the merits of the bill.

Mr. SKALE. Mr. Speaker, I ask in all fairness to the people of Pennsylvania who have asked for legislation of this type, that this bill remain on the calendar so that it may pass at this session of the legislature. This is legislation the type of which we have been asking for in Pennsylvania for many years. This is no time to kill good legislation, and the motion to recommit would have that effect. If you gentlemen are of the mind to kill good legislation, then vote for the motion; if you are in favor of good legislation, then I ask you to oppose the motion.

Mr. BAKER. Mr. Speaker, I desire to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman from Lehigh permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. BAKER. Mr. Speaker, I desire to ask the gentleman from Lehigh, Mr. Lichtenwalter, the Majority Floor Leader, since the chairman of the Judiciary General committee has asked to have this bill recommitted to his committee, whether or not he would not be so kind as the Majority Floor Leader to ask the chairman to place in that committee some Democrats as pallbearers.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS PASSED OVER

There being no objection

Senate Bill No. 48, Printer's No. 163,

Senate Bill No. 49, Printer's No. 164

were passed over at the request of Mr. LICHTENWALTER.

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 238, entitled:

An Act to amend sections four and six of, and to add section 7.1 to, the act, approved the tenth day of July, one thousand nine hundred thirty-five (P. L. 641), entitled "An act providing for the eradication of mosquitoes; authorizing the establishment of county mosquito extermination commission after popular referendum, and the appointment of their members by the county commissioners; prescribing the powers and duties of such commissions," providing that the Secretary of Agriculture cooperate with, and be a member ex-officio of, the county mosquito extermination commission; prescribing powers and duties of the Secretary of Agriculture and said commissions; providing that costs of abating nuisances from breeding of mosquito larvae may be assessed against lands where breeding exists; and providing that said act shall not apply to counties of the first class.

The first section was read.

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. LICHTENWALTER. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties for the purpose of further study.

On the question,

Will the House agree to the motion?

Mr. COHEN. Mr. Speaker, may I suggest that I was asked about this bill by the gentleman from Delaware, Mr. Bretherick, yesterday. We had quite some discussion on the bill, and I ask that we pass this bill over until we have a chance to consult with him.

Mr. JAMES. Mr. Speaker, I would like to say that the gentleman from Delaware, Mr. Bretherick, wants this bill sent back to committee and probably he may arrange for it later.

Mr. LICHTENWALTER. Mr. Speaker, we are afraid we are being "stung." I asked that this bill go back.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 173, entitled:

An Act to amend the act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 326) entitled "An act relating to counties of the first class defining deceased service persons providing for contributions by the county to the funeral expenses for such persons and their widows providing for the erection and care of markers headstones and flags and for the compilation of war records" further clarifying the term "deceased service persons" and changing the provisions for the burial of deceased service persons and their widows and for markers and headstones on their graves and changing the name of the veterans' grave registrar to director of veterans' affairs

The first section was read.

On the question,

Will the House agree to the section?

Mr. LEE offered the following amendments:

Amend Sec. 1 (Sec. 1), page 2, line 10, by striking out the words "Et Cetera" and inserting in lieu thereof "&c."

Amend Sec. 1 (Sec. 2), page 6, line 16, by underscoring the figure "(3)"

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the House agree to the section?

Mr. LEE offered the following amendment:

Amend Sec. 2 (Sec. 5.1), page 11, line 27, by striking out the figure "(2)" and inserting in lieu thereof: "(3)."

It was agreed to.

The section was agreed to as amended.

The third and fourth sections and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 313, Printer's No. 138,

Senate Bill No. 472, Printer's No. 238

were passed over at the request of Mr. LICHTENWALTER.

INTERROGATION

Mr. COHEN asked and obtained unanimous consent to interrogate the gentleman from Lehigh, Mr. Lichtenwalter.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. LICHTENWALTER. I shall, Mr. Speaker.

Mr. COHEN. Mr. Speaker, will the gentleman refer to his calendar on page 16? May I ask with reference to House Bill 578, Printer's No. 524, introduced by the gentleman from Westmoreland, Mr. Weiss, and the gentleman from Lancaster, Mr. Alspach, since it is co-sponsored by a Democrat, whether when this bill is recommitted, one-half of the bill will go back?

Mr. ALSPACH. Mr. Speaker, it is with deep regret that I must state that the entire bill, not just one-half, will go back to committee.

REPORTS FROM COMMITTEES

Mr. GARBER from the Committee on Counties reported as committed, House Bill No. 759, entitled:

An Act to further amend section one of the act approved the twenty-ninth day of June, one thousand nine hundred twenty-three, (P. L. 944), entitled "An act relating to salaries, compensation, bonds, offices, and supplies of certain county officers, their deputies and clerks, in counties of the sixth class," by fixing the salary of the treasurer.

Mr. CADWALADER from the Committee on Counties reported as committed, Senate Bill No. 246, entitled:

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

COMMITTEE APPOINTED

The SPEAKER. In compliance with House Resolution 55, Printer's No. 479, creating a committee of five members to be appointed by the Speaker of the House of Representatives to investigate the expenditures by William A. Shaw of the appropriation made by Act 63A of the 1941 Session. The Speaker appoints the following members to serve on the committee: Messrs. Bower, Hoffman, Foor, Welsh and Bentzel.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 49

Mr. ROYER. Mr. Speaker, I desire to submit the report of the Committee of Conference on House Bill No. 49.

The SPEAKER. The report will lie over for printing under the Rules.

SENATE MESSAGE

The Clerk of the Senate, Mr. McGreorty, being introduced, presented the following extracts from the Journal of the Senate:

House Bills returned without amendment Nos. 522 and 595.

House Bills returned with amendment No. 332.

Senate Bills for concurrence Nos. 403, 427, 532, 565. which were laid on the table.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, the same being correct, the title was publicly read as follows:

HOUSE BILL No. 155.

An Act to further amend section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" exempting for the duration of the present war persons in the armed forces from the payment of a fee to the Commonwealth for resident fishing licenses.

Whereupon,

The SPEAKER, in the presence of the House, signed the same,

PETITIONS AND COMMUNICATIONS

The SPEAKER laid before the House the following petitions and communications which were read by the Clerk.

OLEOMARGARINE

A communication from Ray M. Bell, Pittsburgh, protesting passage of Oleomargarine bills.

Referred to the Committee on Agriculture.

BUILDING AND LOAN ASSOCIATIONS

A petition from Building and Loan Associations from Chester County protesting passage of House Bill No. 486.

Referred to the Committee on Building and Loan Associations.

ALLEGHENY COUNTY

A communication from the Pittsburgh Real Estate Board protesting passage of House Bills No. 195 and 663.

A telegram from the League of Women Voters of Pennsylvania urging passage of House Bill No. 735, Allegheny County Assessment bill.

Referred to the Committee on Cities—Second Class.

MILK

A resolution from the Pennsylvania Tuberculosis Society, protesting passage of House Bill No. 576.

Referred to the Committee on Dairy Industries.

GASOLINE TAX

A resolution from the City of Allentown, urging passage of House Bill No. 835.

Referred to the Committee on Highways.

BLUE LAWS

A communication from The Women's Christian Temperance Union of Pennsylvania urging passage of House Bills No. 610 and urging legislation to close all liquor places for the duration at midnight every night.

Referred to the Committee on Law and Order.

CLUBS

Telegrams urging defeat of House Bills Nos. 315 and 1068 and favoring passage of House Bill No. 331 and Senate Bill No. 396.

Referred to the Committee on Liquor Control.

CO-OPERATIVE ASSOCIATIONS

A communication protesting passage of House Bills Nos. 794 and 809.

Referred to the Committee on Public Utilities.

WORLD FEDERATION

A communication from Mrs. Edward Morris Jones, and Mrs. Grenville D. Montgomery, Philadelphia, favoring passage of a resolution on World Federation.

Referred to the Committee on Rules.

CIVIL SERVICE

A communication from Carl J. Herlinger, Harrisburg, protesting passage of the Wade-Taylor Bill.

Referred to the Committee on State Government.

CIVIL SERVICE

A communication from the Snyder County Board of Assistance protesting passage of any legislation which will remove the protection under civil service of public assistance employes.

Referred to the Committee on Welfare.

RESOLUTION INTRODUCED AND REFERRED

By Mr. ALSPACH. (Concurrent) RESOLUTION No. 64.

In the House of Representatives, April 20, 1943.

Whereas, The Constitution of the United States now contains no limitation on the number of terms which may be served by one person as President; and

Whereas, The sound traditional limitation of two terms for any one person, first suggested and subscribed to by George Washington, has been adhered to by all presidents from the creation of the United States until the year 1940; and

Whereas, The wisdom of the traditional limitation has been amply demonstrated to the people of the United States by the first breach thereof; and

Whereas, The tradition should be translated into a positive mandate of the people by action of the states; therefore be it

Resolved, (if the Senate concur), That the General Assembly of the Commonwealth of Pennsylvania, invokes its power, granted under Article V of the Constitution of the United States, to apply to the Congress of the United States to call a convention of the States for the purpose of proposing an amendment to the Constitution to limit the holding of the office of President of the United States by any one person to two terms of four years each; and be it further

Resolved, That this action of the Legislature on behalf of the Commonwealth of Pennsylvania is a continuing application for the call of a convention for the purpose named herein, and the Congress of the United States is hereby respectfully requested to provide by resolution that this application be presented to each succeeding Congress until two-thirds of the states have made similar application; and be it further

Resolved, That copies of this resolution be transmitted to the Speaker of the House of Representatives, the President of the Senate, and all members of the Pennsylvania delegation in the Congress of the United States.

ADJOURNMENT

Mr. COOK. Mr. Speaker, I move that this House do now adjourn until Thursday, April 22, 1943, at 1 p. m.

The motion was agreed to, and (at 1:52 a. m.) the House adjourned.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1943. 135th of the General Assembly.

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SENATE

THURSDAY, April 22, 1943.

The Senate met at 1:00 o'clock, p. m. Eastern War Time.

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the Chair.

PRAYER

The Chaplain, Rev. EDWIN S. WALLACE, D. D., offered the following prayer:

Unto Thee, O God, who inhabitest eternity, we whose days are numbered, come confessing our sins, and pray for forgiveness. If true repentance is ours we know that Thou wilt not deny our petition. Though our hearts condemn us, God is greater than our hearts. Thy mercy is infinite and Thy love measureless, and are granted to us according to our faith. Lord, increase our faith.

At this season, when the Christian world is commemorating the resurrection from the dead of the Son of God, may we, in all sincerity, join in the songs of praise and in the prayers of gratitude for God's unspeakable Gift.

We are, in name, a Christian nation. May we at this time be one in fact. In all our dealings with other nations; in all our treatment of each other, give us the grace to be truly Christian, devoted followers of the Prince of Peace. In so being and doing we will truly honor our Leader at this Easter time, and will present to Him our finest tribute—ourselves dedicated to His Service.

May the grace of the Lord Jesus Christ be with us all. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HEYBURN and Mr. CARR, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE

Mr. Wade asked and obtained leave of absence for Mr. EDMONDS, on account of illness.

He also asked and obtained leave of absence for Mr. TAYLOR, on account of illness.

He also asked and obtained leave of absence for Mr. ZIESENHEIM, on account of service in the United States Army.

He also asked and obtained leave of absence for Mr. HOMSHER, on account of death in his family.

Mr. McGinnis asked and obtained leave of absence for Mr. MUNDY.

He also asked and obtained leave of absence for Mr. JASPAN.

He also asked and obtained leave of absence for Mr. DiSILVESTRO.

He also asked and obtained leave of absence for Mr. LANIUS.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Executive Nominations.

JUSTICES OF THE PEACE AND ALDERMAN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

William L. Moyer, 43 North Church Street, Mohnton, Berks County, for appointment as Justice of the Peace in and for the Borough of Mohnton, Berks County, until the first Monday in January, 1944, vice H. J. Bigony, deceased.

Charles Henry Baum, 1336 Schuylkill Avenue, Reading, Berks County, for appointment as Alderman in and for the Nineteenth Ward of the City of Reading, Berks County, until the first Monday in January, 1944, to fill a vacancy.

Thomas M. Uttley, R. D. No. 3, Huntingdon, Huntingdon County, for appointment as Justice of the Peace in and for the Township of Henderson, Huntingdon County, until the first Monday in January, 1944, to fill a vacancy.

EDWARD MARTIN.

HOUSE MESSAGES

HOUSE CONCURS IN SENATE BILL No. 272

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 272, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts

with the information that the House has passed the same without amendments.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Charles H. Ealy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 155, entitled:

An Act to further amend section two hundred twenty of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "Fish Law of 1925," exempting persons in the armed forces from the payment of a fee to the Commonwealth for resident fishing licenses.

Senate Bill No. 272, entitled:

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

Whereupon,

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the presence of the Senate signed the same.

HOUSE BILLS FOR CONCURRENCE

He also presented for concurrence bills of the House, as follows:

House Bill No. 171, entitled:

An Act to further amend the act, approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278), entitled "General County Law," further clarifying the term "deceased service persons"; changing the provisions for the burial of deceased service persons and their widows, and for markers and headstones on their graves; changing the name of the veterans' grave registrar to director of veterans' affairs; and prescribing his duties.

Which was committed to the Committee on Military Affairs.

House Bill No. 358, entitled:

An Act to amend section one thousand one hundred fifty-six of the act, approved the first day of May, one thousand nine hundred thirty-three (P. L. 103), entitled "The Second Class Township Law," providing for the regulation of encroachments on township highways and the issuing of permits therefor by the township supervisors instead of by the Department of Highways of the Commonwealth, and for the payment of permit fees into the township treasury.

Which was committed to the Committee on Highways.

House Bill No. 489, entitl

An Act authoring the Department of Property and Supplies, with the approval of the Governor, to purchase a certain property within the area of the eastern approach to the Soldiers' and Sailors' Memorial Bridge in the City of Harrisburg; providing for the development of the said property; and making appropriations.

Which was committed to the Committee on State Government.

House Bill No. 585, entitled:

An Act to amend section six of the act, approved the twelfth day of June, one thousand eight hundred seventy-eight (P. L. 196), entitled "An act supplementary to an act, entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth,' approved the thirty-first day of March, Anno Domini one thousand eight hundred and sixty," by fixing the time for the commencement and prosecution of indictments for felonies committed by certain persons.

Which was committed to the Committee on Judiciary General.

House Bill No. 663, entitled:

An Act to further amend Section 2, to amend Section 3 and 5, to add Section 8.1, and to amend Section 11 of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 626), entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," by reducing the number and changing the manner of appointment of members of said board, further prescribing their powers and duties; fixing the qualifications and requiring examinations of employes of the board; further regulating the making of assessments and valuations of real property; and imposing duties on certain county officers.

Which was committed to the Committee on Municipal Government.

House Bill No. 668, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 289), entitled "Non-profit Corporation Law," by authorizing non-profit medical Service corporations to provide limited medical service to subscribers of over-income.

Which was committed to the Committee on Public Health.

House Bill No. 669, entitled:

An Act to amend sections three, four, nine, and nineteen of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1125), entitled "Nonprofit Medical Service Corporation Act," by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income.

Which was committed to the Committee on Public Health.

House Bill No. 828, entitled:

An Act to further amend paragraph (a) of section three and sections four and seven and amend section five of the act, approved the twenty-fifth day of July, one thousand nine hundred thirteen (P. L. 1024), entitled "Female Labor Law," by increasing the hours of labor and temporarily suspending certain restrictions on employment.

Which was committed to the Committee on Labor and Industry.

House Bill No. 843, entitled:

An Act to further amend section three hundred twenty-one of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "Insurance Company Law of 1921," by conforming said section to existing law by requiring the tax imposed thereby to be reported and paid to the Department of Revenue instead of the Insurance Commissioner.

Which was committed to the Committee on Insurance.

House Bill No. 862, entitled:

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the sixth class; imposing certain charges on counties, and prescribing penalties.

Which was committed to the Committee on County Government.

House Bill No. 873, entitled:

An Act to further amend section four of the act, approved the thirteenth day of May, one thousand nine hundred fifteen (P. L. 286), entitled "Child Labor Law," by increasing the working hours of minors between the ages of sixteen and eighteen.

Which was committed to the Committee on Labor and Industry.

REPORTS FROM COMMITTEES

Mr. THOMAS, from the Committee on Forests and Waters. Game and Fish, reported as committed, House Bill No. 758, entitled:

An Act to further amend section fifty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" authorizing the board of Fish Commissioners to adopt certain rules and regulations governing the taking of fish by trolling from moving boats electrically propelled by internal combustion motors and making it unlawful to engage in such trolling in violation of the rules and regulations thus adopted.

Mr. CROWE, from the Committee on Forests and Waters, Game and Fish, reported as committed, House Bill No. 156, entitled:

An Act to amend section three hundred two of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" exempting for the duration of the present war any persons in the armed forces from the payment of a fee to the Commonwealth for resident hunting licenses.

Mr. HOLLAND, from the Committee on Elections, reported as committed, House Bill No. 662, entitled:

An Act to amend clause (k) of Section three hundred two and sections nine hundred fourteen and nine hundred seventy-seven of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" by changing the time for the certification of returns to the Secretary of the Commonwealth the time for the withdrawal of candidates for nomination or election at any primary and the time for filing objections to nomination petitions

Mr. JONES, from the Committee on Elections, reported as amended, Senate Bill No. 151, entitled:

An Act to amend Sections 203 and 204 and to further amend Section 205 of and to add Sections 205.1 205.2 205.3 205.4 205.5 205.6 205.7 205.8 205.9 205.10 and 205.11 to the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the election of school directors in school districts of the second third and fourth classes by nonpartisan ballots at special elections

Mr. DEITRICK, from the Committee on Public Health, reported as amended, Senate Bill No. 371, entitled:

An Act to further amend section three of an act approved the thirteenth day of May one thousand nine hundred and twenty-seven (P. L. 988) entitled "An act providing for and regulating the State registration of nurses and licensed attendants the annual recording of registration certificates and regulating the profession of nursing and repealing certain existing laws" providing for emergency registration of Nurses to meet the present war emergency and a period thereafter

Mr. COLEMAN, from the Committee on Elections, reported as committed, House Bill No. 659, entitled:

An Act to amend clause (g) of section eighteen of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P. L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

He also, from the Committee on Elections, reported as committed, House Bill No. 747, entitled:

An Act to further amend clause (f) and to amend clause (g) of section twenty of the act approved the thirtieth day of March one thousand nine hundred thirty-seven (P. L. 115) entitled "An act to provide for the permanent personal registration of electors in cities of the first class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registrations commissions commissioners registrars inspectors of registration and other appointees of registration commission election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents certain public service companies persons firms and corporations operating vehicles for moving furniture and household goods and boards of school directors and imposing penalties" by changing procedure relating to registration of State and Federal employes

He also, from the Committee on Elections, reported as amended, House Bill No. 660, entitled:

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 814) entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

He also, from the Committee on Elections, reported as amended, House Bill No. 661, entitled:

An Act to amend clause (g) of section nineteen of the act approved the first day of June one thousand nine hundred thirty-seven (P. L. 1132) entitled "An act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" by changing the procedure relating to the registration of State and Federal employes

He also, from the Committee on Elections, reported as amended, House Bill No. 655, entitled:

An Act to amend clause (g) of section nineteen of the act approved the twenty-fifth day of May one thousand nine hundred thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" by changing the procedure relating to the registration of State and Federal employes

EXECUTIVE NOMINATIONS

Mr. WATKINS from the Committee on Executive Nominations, reported with a favorable recommendation the following nominations, made by His Excellency, the Governor, which were laid over for one day under the rules.

MEMBERS OF THE LAWRENCE COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor Office, Harrisburg, April 21, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for reappointments as members of the Lawrence County Board of Assistance:

Ivor M. Richards (Republican), 306 Englewood Avenue, New Castle, to serve until December 31, 1945, and until his successor is duly appointed and qualified.

Samuel H. Taylor (Republican), 608 North Ashland Avenue, New Castle, to serve until December 31, 1945, and until his successor is duly appointed and qualified.

Lloyd W. Strayer (Republican) 426 Winter Avenue, New Castle, to serve until December 31, 1944, and until his successor is duly appointed and qualified.

Mrs. Rose Fazzone (Republican), 903 Moravia Street, New Castle, to serve until December 31, 1944, and until her successor is duly appointed and qualified.

EDWARD MARTIN.

RECESS

Mr. HEYBURN. Mr. President, I move that the Senate do now take a recess in order to hold a meeting of the Committee on State Government.

Mr. TALLMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT PRO TEMPORE. The time of recess having elapsed the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. WALKER, from the Committee on State Government, reported as committed, Senate Bill No. 613, entitled:

An Act to further amend section four of the act, approved the twenty-eighth day of June, one thousand nine hundred thirty-five (P. L. 452), entitled as amended "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, equip, furnish, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," empowering the General State Authority to lease any project constructed by it to any person, copartnership, association or corporation, for certain uses.

He also, from the Committee on State Government, reported as committed, Senate Bill No. 417, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of Pennhurst State School, to acquire a certain tract of land for the use of the State Institution for the Feeble-Minded and Epileptic of Eastern Pennsylvania at Pennhurst, and making an appropriation therefor.

He also, from the Committee on State Government, reported as amended, Senate Bill No. 433, entitled:

An Act relating to appointments reclassifications and promotions under the civil service systems of all political subdivisions of this Commonwealth that shall hereafter be made until a period after the cessation of hostilities making such appointments reclassifications and promotions of war duration providing for the establishment of new employment and promotion lists and suspending inconsistent laws.

Mr. KEPHART, from the Committee on Judiciary Special, reported as committed, House Bill No. 1092, entitled:

An Act to amend section twelve of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" changing the minimum age for participants in amateur boxing sparring and wrestling matches and exhibitions and providing a penalty.

Mr. CHAPMAN, from the Committee on Elections, reported as committed, House Bill No. 731, entitled:

An Act to further amend subsection (c) of section four hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1333) entitled "An act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections" fixing the mileage of judges of election for transmitting returns of primaries and elections and ballot boxes.

BILLS INTRODUCED AND REFERRED

Mr. KEPHART read in his place and presented to the Chair, Senate Bill No. 615, entitled:

An Act to amend section sixty of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof; the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," further regulating the administration and distribution of the estates of missing persons; prescribing the jurisdiction, powers and duties of the orphans' court relative thereto, and of the trustees appointed by said court for the management, control and distribution of such estates; and repealing existing laws.

Which was committed to the Committee on Judiciary Special.

Mr. WALKER read in his place and presented to the Chair, Senate Bill No. 616, entitled:

An Act to further amend section seventeen of the act, approved the twenty-second day of June, one thousand nine hundred thirty-five (P. L. 414), entitled as amended "An act to provide revenue for State purposes; imposing taxes upon certain classes of personal property; providing for the assessment, collection, and lien of the same, and the distribution of the proceeds thereof; imposing duties on executors, administrators, registers of wills, recorders of deeds, prothonotaries, and court clerks, and on persons, copartnerships, associations, banks, national banks, trust companies, and other corporations receiving deposits of money, and on certain corporations and limited partnerships; conferring powers and imposing duties on certain State officers and departments; imposing penalties; and making an appropriation," by excluding from the provisions thereof personal property held in trust under the terms of a stock bonus, pension annuity, profit-sharing or deferred compensation plan as herein defined, maintained by an employer for the exclusive benefit of his employes or their beneficiaries.

Which was committed to the Committee on Judiciary General.

Mr. BECKER read in his place and presented to the Chair, Senate Bill No. 617, entitled:

An Act to repeal section twenty-three of the act, approved the twenty-sixth day of May, one thousand nine hundred and thirty-three (P. L. 1076), entitled "An act to provide for the organization, incorporation, operation, and supervision of cooperative savings and credit associations, to be termed credit unions; designating such credit unions as corporations, and defining their powers and duties; conferring certain powers and duties on the Department of Banking; and providing penalties," which section exempts credit unions organized under said act, and the shares thereof, from certain tax and bonus liability.

Which was committed to the Committee on Banking.

Mr. THOMAS B. WILSON read in his place and presented to the Chair, Senate Bill No. 618, entitled:

An Act to amend sections four hundred two and four hundred twenty, of the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," providing for and regulating the appointment of three district medical boards in lieu of the one existing medical board; defining their powers and duties; and fixing the compensation of the members of such boards.

Which was committed to the Committee on Labor and Industry.

Mr. KEPHART read in his place and presented to the Chair, Senate Bill No. 619, entitled:

An Act to further amend section four hundred fifty-two of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant-Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by changing the provision regarding the maximum compensation of the State Civil Service Commission.

Which was committed to the Committee on State Government.

Mr. HOLLAND read in his place and presented to the Chair, Senate Bill No. 620, entitled:

An Act suspending, during the continuance of the present war and for a period thereafter, the provisions of the act approved the twenty-ninth day of May, one thousand nine hundred one (P. L. 327), entitled "An act to prohibit the manufacture and sale of oleomargarine, butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms and boarding houses; for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter; and to regulate the manufacture and sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter, and prevent and punish fraud and deception in such manufacture and sale as an imitation butter; and to prescribe penalties and punishment for violations of this act, and the means and the method of procedure for its enforcement, and regulate certain matters of evidence in such procedure," and its amendments, in so far as they require the obtaining of a license and payment of a license fee.

Which was committed to the Committee on Agriculture.

Mr. MALLERY read in his place and presented to the Chair, Senate Bill No. 621, entitled:

An Act to amend section three of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-seven, (P. L. 808), entitled "An act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment, and training of defective delinquents; authorizing the preparation and equipment (including necessary construction) of the institution for such purposes, either by the Department of Property and Supplies or The General State Authority, and authorizing the necessary leases or conveyances for this purpose; changing the name of the Board of Trustees of Pennsylvania Industrial School; providing for the commitment and transfer of such persons to such institution and discharge therefrom; conferring powers and imposing duties on the aforesaid board of trustees, the Department of Welfare, and courts; and imposing certain charges on counties," providing for commitments by the courts to the Pennsylvania Institution for Defective Delinquents and for transfers therefrom to the new Pennsylvania Industrial School.

Which was committed to the Committee on Welfare, Public Assistance and Pensions.

He also read in his place and presented to the Chair, Senate Bill No. 622, entitled:

An Act to further amend section one of the act, approved the thirteenth day of April, one thousand eight hundred eighty-seven (P. L. 21), entitled "An act for the establishment of a uniform standard of time throughout the Commonwealth," making further provision for such standard of time.

Which was committed to the Committe on Judiciary General.

RESOLUTION

DIRECTING THE COMMISSION OF THE PENNSYLVANIA MOTOR POLICE TO REMOVE THE WORD "DESERTER" OR "DESERTION" FROM THE RECORDS OF MEN WHO RESIGNED TO TAKE UP JOBS IN WAR INDUSTRIES PRIOR TO DECEMBER 7, 1941

Mr. HOLLAND offered the following resolution which was twice read and referred to the Commiteee on State Government.

Whereas, A number of former members of the Pennsylvania Motor Police resigned their positions in the Pennsylvania Motor Police prior to the entry of the United States of America into the war on December 7, 1941, and

Whereas, The former members of the Pennsylvania Motor Police in resigning their positions were impelled by sincere patriotic motives, and

Whereas, When they resigned from the Pennsylvania Motor Police, the former officers obtained positions guarding vital war industries in this Commonwealth and elsewhere, and

Whereas, It has been learned that when the former members of the Pennsylvania Motor Police resigned their positions, entry was made in their records indicating that they deserted, and

Whereas, This blemish on the otherwise honorable records of these loyal, patriotic members of the Pennsylvania Motor Police may become a permanent handicap to them in seeking future employment, and

Whereas, The former members of the Pennsylvania Motor Police have been performing a duty in guarding our essential war plants and other forms of industry and business directly connected with the war effort, which was, and is, more important than any service they could have performed as members of the Pennsylvania Motor Police prior to our entry into the war, therefore

Be It Resolved, That the Governor of the Commonwealth of Pennsylvania direct the Commissioner of the Pennsylvania Motor Police to strike from the records of all officers who resigned from the service to enter private employment directly or indirectly connected with our war effort prior to December 7, 1941, the notation "deserter" or "desertion' and indicate in their records that they resigned.

USE OF SENATE CHAMBER

Mr. HEYBURN offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 22, 1943.

Resolved, That the use of the Senate Chamber be granted for Tuesday, May 4, 1943, between the hours of 11:00 a. m. and 12:30 p. m., for the Inauguration ceremonies for Honorable W. S. Livengood, elected to the office of Secretary of Internal Affairs.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Charles H. Ealy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 522, entitled:

An Act relating to post-war planning, creating a Post-War Planning Commission and defining its powers and duties; conferring powers and duties upon State administrative departments, boards and commissions, political subdivisions, and other agencies; and making an appropriation.

House Bill No. 595, entitled:

An Act to amend section four thousand three hundred four of the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932) entitled "Third Class City Law" removing becoming a nonresident of the State as a cause for forfeiture of rights under the police pension fund.

Whereupon,

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the presence of the Senate signed the same.

NOMINATIONS BY THE GOVERNOR

NOTARIES PUBLIC

The Secretary to the Governor being introduced, presented in writing from His Excellency, the Governor of the Commonwealth, nominations for appointment as Notaries Public.

CONSIDERATION OF NOTARIES PUBLIC

Mr. WATKINS. Mr. President, I move that the Senate do now proceed to the consideration of nominations for appointment as Notaries Public, sent to the Senate, by His Excellency the Governor of the Commonwealth on April 22, 1943.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

The nominations were read as follows:

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public, for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

R. M. Clark, Wilkinsburg.
John P. Volk, Pittsburgh, 4751 Second Ave.

BERKS COUNTY

Norman Kaplan, Reading.
Mrs. Marie B. Liever, Reading.
Earl N. Schmehl, Reading.
Anthony Zaffiro, Reading.

DELAWARE COUNTY

J. Willard Hoopes, East Lansdowne.
Mrs. Marie C. Lane, Haverford Twp., Eagle and Lawrence Rds., Oakmont, Upper Darby.
John G. Moe, Upper Providence Twp., 450 S. Orange St., Media.

ERIE COUNTY

Mrs. Isabelle T. Cannon, Erie.

LUZERNE COUNTY

Miss Katherine M. Loftus, Pittston.

PHILADELPHIA COUNTY

Miss Edana Gregg, Phila., 1501-2 Finance Bldg., 1428 S. Penn Square.
Mrs. Dorothy M. Limbert, Phila., Jackson-Cross Co., Rising Sun Ave. at Roosevelt Blvd.
G. A. Weisenberger, Phila., 36 W. Ashmead Place, North.

EDWARD MARTIN.

NOMINATIONS FOR NOTARIES PUBLIC

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE NOMINATIONS

A motion was made by Mr. WATKINS and Mr. KEPHART,

That the Senate do now resolve itself into Executive Session, for the purpose of considering the nominations of His Excellency, the Governor of the Commonwealth of Pennsylvania, taken from the table, which were read by the Clerk as follows.

The motion was agreed to.

MEMBERS OF THE SUSQUEHANNA COUNTY BOARD OF ASSISTANCE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 19, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Susquehanna County Board of Assistance:

Mrs. Elizabeth Mack (Republican), Montrose, to serve until December 31, 1945, and until her successor is duly appointed and qualified vice Mrs. Winifred Meehan, whose term expired.

Mrs. Elizabeth Shinners (Democrat), Great Bend, to serve until December 31, 1945, and until her successor is duly appointed and qualified, vice Frank J. Chapman, whose term expired.

EDWARD MARTIN.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 20, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Herbert G. Bonser, 50 Lackawanna Avenue, East Stroudsburg, Monroe County, for appointment as Justice of the Peace in and for the Borough of East Stroudsburg, Monroe County, until the first Monday in January, 1944, vice Ralph J. Booth, deceased.

EDWARD MARTIN.

Whereupon,

A motion was made by Mr. WATKINS and Mr. LETZLER,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McCreesh,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

EXECUTIVE SESSION RISES

Mr. WATKINS. Mr. President, I move that the Executive Session do now rise.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL No. 49

Agreeably to order,

The Senate proceded to the consideration of the Conference Committee Report on House Bill No. 49, Printer's No. 529, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 49, entitled: "An act to amend the title and sections one to twelve both inclusive, of the act approved the nineteenth day of March, one thousand nine hundred forty-one, (P. L. 3), entitled 'An act providing for the organization, government, discipline, maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States,' changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard; authorizing additional annual allowances to uniformed officers for arms, uniforms and equipment."

Respectfully submit the following bill as our report.

JAMES A. GELTZ,
M. F. CROWE,
JOHN F. COX,
(Committee on the part of the Senate.)
ARTHUR P. BRETHERICK,
BAKER ROYER,
HARRY P. O'NEILL,
(Committee on the part of the House of Representatives.)

An Act to amend the title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" changing the name of the Pennsylvania Reserve Defense Corps to Pennsylvania State Guard and authorizing additional annual allowances to uniformed officers for arms uniforms and equipment and prohibiting discrimination in the acceptance of enlistments or the issuance of commissions by reason of race or color

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and sections one to twelve both inclusive of the act approved the nineteenth day of March one thousand nine hundred forty-one (P. L. 3) entitled "An act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania Reserve Defense Corps for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States" are hereby amended to read as follows

An Act providing for the organization government discipline maintenance and regulation of an additional land force to be known as the Pennsylvania [Reserve Defense Corps] State Guard for the defense of the Commonwealth during any period of time in which the National Guard of Pennsylvania or any part thereof shall be in active service of the United States

Section 1 Organization of [Reserve Defense Corps] State Guard Whenever the Pennsylvania National Guard or any part thereof shall be called or ordered into the service of the United States during any war or other emergency thereupon the Governor shall have the authority and power to organize an armed land force for the defense of the Commonwealth during said war or emergency and for the defense of civil population against aircraft and gas attack which shall be known and designated as the Pennsylvania [Reserve Defense Corps] State Guard and shall be available at the discretion of the Governor for active military duty whenever an invasion of or an insurrection in the State shall occur or be threatened or a tumult riot or disaster shall threaten or exist

Section 2 Composition and Strength The Pennsylvania [Reserve Defense Corps] State Guard shall consist of such divisions brigades regiments battalions companies and similar organizations as may be prescribed by the Governor

Section 3 Term of Service Whenever the Pennsylvania National Guard shall have been restored to state status and shall be enabled to resume its state organization thereupon the term of service of the Pennsylvania [Reserve Defense Corps] State Guard shall cease and determine subject to the discretion of the Governor as to the time and manner in which the same or component parts thereof shall be mustered out

Section 4 Location of Units The Governor shall designate the location of the several units and may change the same at any time Units shall be located so far as practicable in armory buildings owned by the Commonwealth

Section 5 Oath of Commissioned Officers Each comsmissioned officer before entering upon the duties of his appointment shall take and subscribe the following oath "I .... do solemnly swear that I will support and defend the Constitution of the United States and the Constitution of the State of Pennsylvania against all enemies that I will bear true faith and allegiance to the same that I will obey the orders of the Governor of the State of Pennsylvania that I make this obligation freely without any mental reservation or purpose of evasion and that I will well and faithfully discharge the duties of the office .... in the Pennsylvania [Reserve Defense Corps] State Guard upon which I am about to enter"

Section 6 Age and Physical Requirements The Governor may by executive order prescribe from time to time the age limitations and physical qualifications which will govern the endistments and commissions in the Pennsylvania [Reserve Defense Corps] State Guard but no person shall be refused enlistment or a commission or in anyway be discriminated against in the administration of this act by reason of his race or color

Section 7 Enlistment Contract and Oath Every man enlisting in the Pennsylvania [Reserve Defense Corps] State Guard shall sign an enlistment contract and take and subscribe to the following oath of enlistment "I do hereby acknowledge to have voluntarily enlisted this .... 19.... as a soldier in the Pennsylvania [Reserve Defense Corps] State Guard for the period of the present war or other emergency unless sooner discharged by proper authority and I do solemnly swear that I will bear true faith and allegiance to the United States of America and to the State of Pennsylvania and that I will serve them honestly and faithfully against all their enemies whomsoever and that I will obey the orders of the Governor of the State of Pennsylvania and of the officers appointed over me according to law and the rules and articles of war"

Section 8 Pay Transportation Annual Encampment There shall be no pay for officers or enlisted men for armory drills In event of a call of any part of the Pennsylvania [Reserve Defense Corps] State Guard into active state duty the pay and transportation of officers and enlisted men shall be on the same basis as is provided for the Pennsylvania National Guard when on active state duty The Governor may in his discretion provide for annual encampment of not to exceed fifteen (15) days training in any one year for the Pennsylvania [Reserve Defense Corps] State Guard during which period the pay and transportation of officers and enlisted men shall be on the same basis as is provided for the Pennsylvania National Guard

Section 9 Annual Allowance The Adjutant General shall have power and authority to make such annual allowances to organizations and headquarters of organizations as he may deem necessary Where an organization is in service for a fractional part of the fiscal year the allowance shall be reduced accordingly

Section 10 Uniforms Arms and Equipment The Governor shall have the authority and power to requisition from the War Department of the United States such arms and equipment as may be available for use of the Pennsylvania [Reserve Defense Corps] State Guard under the provisions of Public Resolution Number 874 the 76th Congress of the United States approved October 21 1940 and such other uniforms arms and equipment as may hereafter be authorized by the Congress of the United States to be made available to the Pennsylvania [Reserve Defense Corps] State Guard The Governor shall have further authority and power to make available for the use of the Pennsylvania [Reserve Defense Corps] State Guard such uniforms arms and equipment as may be owned by the Commonwealth or as may be in possession of the Commonwealth for the purpose of such use In the absence of any provision of uniforms arms and equipment by the United States such uniforms arms and equipment may be prescribed by the Governor and provided at the cost of the Commonwealth

Section 11 Uniforms Arms and Equipment of Officers Every commissioner officer shall furnish his own arms uniforms and equipment which shall be as prescribed by the Adjutant General An allowance for this purpose of not to exceed one hundred dollars ($100.00) for each officer may be prescribed by the Governor and in addition thereto if found necessary the Governor may prescribe a further allowance not to exceed thirty dollars ($30.00) in any one year for each officer

Section 12 National Guard Laws Generally to Apply All Pennsylvania laws or sections of laws pertaining to the Pennsylvania Nationad Guard shall be applicable and shall govern the Pennsylvania [Reserve Defense Corps] State Guard except as modified or changed by the provisions of this act

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the Senate agree to the report?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 440, on concurrence in House amendments recalled from the Governor, entitled:

An Act to further amend section seven hundred two of the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain State departments commission sand officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by further regulating the method of approval of amendments of articles of incorporation of nonprofit corporations by the members thereof

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 67, on concurrence in House amendments, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" establishing the method of appointing promoting reducing in rank suspension furloughing discharging and reinstating members of the police force of counties of the second class creating and defining the powers and duties of a civil service commission imposing certain duties and expenses on such counties and prescribing penalties

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 174, entitled:

An Act to further amend scetion one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the creation of the office of district superintendent in districts where such office does not exist

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

POINT OF ORDER

Mr. COLEMAN. Mr. President, I rise on a point of order.

The PRESIDENT PRO TEMPORE. The gentleman from Lackawanna will proceed.

Mr. COLEMAN. Mr. President, according to the Calendar, the printer's number on this bill is No. 174, Obviously there must be a later printer's number. I should like to have that checked.

The PRESIDENT PRO TEMPORE. The Chair is informed that the printer's number is correct.

And the question recurring,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON THIRD READING

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 99, on third reading, entitled:

A Joint Resolution proposing an amendment to Section one of article Fourteen of the Constitution of the Commonwealth of Pennsylvania by making sheriffs eligible to succeed themselves

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 145, entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries for research and investigation of problems affecting mineral industries

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred and twenty-five thousand dollars ($125,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Pennsylvania State College for the two fiscal years beginning June first one thousand nine hundred and forty-three for the use of the School of Mineral Industries for the following purposes

For the support of research and investigation of long range basic problems affecting the mineral industries the sum of seventy-five thousand dollars ($75,000)

For the purpose of matching money contributed by industry to the School of Mineral Industries for research and investigation of long range basic problems affecting the mineral industries the sum of fifty thousand dollars ($50,000) Provided that no more shall be expended from this item than may be required to match an equal sum contributed by one or more industries for such research and investigation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 164, entitled:

An Act creating a Safety Commission as an Independent Administrative Commission of the Commonwealth and defining its powers and duties

Whereas The Commonwealth has adopted an elaborate system of laws designed to assure safety on the highways and in industry but notwithstanding these laws and efforts at their enforcement through State and local agencies and periodic inspections and campaigns of education in which the public schools and many public spirited organizations have joined accidents continue to mount annually and

Whereas The experience of other states has been that by providing proper administrative agencies by coordinating safety work in the field of enforcement engineering and education and by engaging in never-ending safety campaigns much may be be accomplished to reduce the number of accidents therefore

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created the Pennsylvania Safety Commission which shall be an Independent Commission and shall have all the powers conferred and perform all the duties vested in such commissions by the Administrative Code of 1929 and its amendments

The commission shall be composed of the Secretary of Revenue the Secretary of Highways the Superintendent of Public Instruction the Secretary of Labor and Industry the Secretary of Mines the Chairman of the Public Service Commission the Superintendent of the Pennsylvania Motor Police and the executive director hereinafter provided for

Four members of the commission shall constitute a quorum

The Governor shall appoint an executive director who shall be designated as the Director of Public Safety and who shall be qualified by experience in safety work and who shall be a member of the commission and who shall receive such salary as the Governor may determine and who shall be accountable only to the Governor

The members of the commission other than the executive director shall not receive any additional compensation but shall be reimbursed for all expenses necessarily incurred in the discharge of their duties

Section 2 It shall be the duty of the Safety Commission

(a) To formulate and develop plans and methods for increasing safety on the public highways in industry and in the home for the prevention of accidents and to supervise the execution of such plans and methods

(b) To aid in the promotion of safety education in the public schools in the home and in industry

(c) To conduct never-ending campaigns of public safety education

(d) To ascertain highway home and industrial accident hazards and devise and suggest means for their elimination

(e) To coordinate the work of the several departments commissions and agencies of the state dealing with safety law enforcement and education in methods of safety and receive reports from any department board commission or agency of the Commonwealth

(f) To deal with complaints and consider suggestions made by the public with regard to safety measures

(g) To perform all such other duties in connection with safety measures as may be referred to it by any agency of the state government

(h) Generally to perform and exercise such functions as in the opinion of the commission will reduce the number of accidents and safeguard life and property

(i) To develop statistics and obtain information and data from other states as to their methods and devices for eliminating and reducing accidents

(j) To cooperate with other states or any departments bureaus commissions or agencies thereof in the furtherance of the purposes of this act

(k) To recommend such legislation as may be deemed necessary for the reduction and elimination of accidents

Section 3 The Director of Public Safety with the approval of the Governor shall appoint such personnel in accordance with the Administrative Code as may be deemed necessary to carry into effect the provisions of this act and fix their compensation which together with the salary of the Director of Public Safety and expenses of the members of the commission shall be paid from appropriations made to the commission for such purposes

Section 4 The commission shall have power to assign to the Director of Public Safety and other subordinates the performance of any of the duties imposed by this act and any ex-officio member of the commission may assign any deputy or other person in his respective department commission or agency to sit as a member of the commission in his stead

Section 5 The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby specifically appropriated to the Safety Commission for the two fiscal years beginning the first day of June one thousand nine hundred forty-three for the payment of the salary and compensation of the executive director and other employes of the commisison for the expenses of maintaining and operating automobiles and other motor equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the payment of telephone telegraph and express charges for postage supplies and printing and for other incidental expenses deemed necessary by the commission in carrying on its work

Section 6 All acts and parts of acts inconsistent herewith are hereby repealed but nothing in this act shall be construed as affecting suspending or otherwise interfering with any of the functions relating to highway safety and to accident prevention now being performed by the Department of Revenue the Department of Labor and Industry and the Department of Mines

Section 7 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Scarlett,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 304, entitled:

An Act to amend Sections 1604, 1605, 1606, 1607 and 1608 of the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by further regulating the payment of primary and election expenses, the making of contributions therefor and the filing of expense accounts

On the question,

Will the Senate agree to the bill on third reading?

Mr. KEPHART. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend bill, section 1, page 3, lines 25 and 26 by striking out the words "those formed for or having political purposes" and inserting in lieu thereof the following: "those formed primarily for political purposes or a political committee"; amend bill, section 1, page 4, line 2 by inserting after word "corporation" and before the word "or" the following: "or unincorporated association."

On the question,

Will the Senate agree to the amendments?

They were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

BILL OVER IN ORDER

Mr. HOLLAND. Mr. President, I ask unanimous consent that Senate Bill No. 304, on third reading, go over in its order, so we may have a chance to study those amendments.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 400, entitled:

An Act to ratify confirm and validate as debts of the municipality bonds and obligations issued by municipal corporations for the payment of the cost of a public improvement which were to rest alone for their security and payment upon assessments for benefits

The General Assembly of the Commonwealth of Pennsylvania herbey enacts as follows

Section 1 Whenever prior to the effective date of the act approved the twenty-fifth day of June one thousand nine hundred forty-one (P. L. 159) entitled "An act amending revising consolidating and changing the law relating to the borrowing of money by certain political subdivisions the authorization issuance and sale of general obligation bonds as herein defined of bonds imposing no general obligation of debt and of bonds not deemed to constitute a debt for certain purposes and to the funding of debt and the refunding of bonds regulating the keeping and use of sinking funds imposing powers and duties upon the Department of Internal Affairs and upon corporate bodies and officers of political subdivisions imposing penalties and repealing existing laws" any municipal corporation has in good faith issued bonds or other obligations for the payment of the cost of a public improvement on the assumption that such bonds were not debts of the municipality within the meaning and intent of article nine section eight of the Constitution for the reason that such bonds or obligations were secured or to be secured by assessments against property benefited by such improvement and were to rest alone for their security and payment upon such assessments such bonds and obligations are hereby ratified confirmed and made valid and binding obligations and debts of the municipality notwithstanding the fact that the corporate authorities of the municipality failed either in whole or in part to comply with the laws of the Commonwealth providing the method of incurring and increasing its indebtedness Provided however that this act shall not be construed to validate any such issue of bonds or obligations as valid debts of the municipality where the amount of any such issue when added to the existing debt of the municipality exceeds the limits of indebtedness permitted by the Constitution

Section 2 This act shall take effect immediately

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McQuiddy,
Ruth,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 440, entitled:

An Act creating a Commission for the Port of Chester providing for the appointment of the members of said commission defining its powers and duties and making an appropriation to defray its expenses

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 A commission is hereby created to be known as the Commission for the Port of Chester which shall consist of seven members one of whom shall be appointed by the Mayor of the City of Chester one by the Court of Common Pleas of Delaware County one by the President Pro Tempore of the Senate one by the Speaker of the House of Representatives and three by the Governor all of whom shall be residents of the County of Delaware and whose duty it shall be to study report upon and recommend measures for the development and improvement of the Port of Chester located within and upon that portion of the Delaware River within the territorial limits of the Commonwealth of Pennsylvania between Darby Creek to the northeast and the southern boundary of this Commonwealth to the southwest

Section 2 The said commission shall select a chairman from its own members and may employ a secretary counsel and such other assistants as may be needed It shall fix the compensation to be paid its said employes within the amounts duly made available by appropriation

Section 3 The said commission may meet anywhere within the Commonwealth of Pennsylvania It may take testimony and subpoena witnesses and require the production of books papers records and documents Its subpoenaes shall be issued under the hand and seal of the chairman of the commission commanding any person or persons to appear before it to answer questions concerning matters properly being inquired into by the commission and to produce such books papers records and documents as the commission may deem necessary Such subpoenaes may be served in the same manner and with the same force and effect as subpoenaes issued out of the courts of this Commonwealth Each member of said commission shall have the power to administer oaths and affirmations to witnesses appearing before the commission

Section 4 Any person who shall willfully neglect or refuse to testify before said commission or to produce any books papers records or documents required by it shall be subject to penalties provided by the law in such cases

Section 5 The members of said commission shall receive no compensation for their services but they shall be entitled to necessary traveling expenses incurred in the performance of their duties

Section 6 The said commission shall remain in existence until January fifteenth one thousand nine hundred and forty-five and shall at that time make a full and complete report of its findings to the General Assembly with appropriate recommendations for legislative action

Section 7 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby appropriated from any money in the State Treasury not otherwise appropriated payable on the requisition of the chairman of said commission and upon the warrant and audit of the Attorney General

Section 8 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Mallery,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy,
Pres. Pro. Tem.

NAYS—12

Barr,
Coleman,
Cox,
Gourley,
Haluska,
Holland,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 465, entitled:

An Act authorizing the Department of Welfare to enter into contracts for foodstuffs to supply State and State-aided institutions, and to purchase the same in open market, and to process the same for preservation; providing for transfers from appropriations made to such institutions in payment therefor; authorizing dehydrating plants and equipment at State institutions, and the use of inmate labor thereat; conferring power and imposing duties on the Department of Property and Supplies; and making an appropriation

On the question,
Will the Senate agree to the bill on third reading?

Mr. LETZLER. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend title, page 1, line 2 of title, by striking out the words "and State-aided"; amend Sec. 3, page 2, lines 14 and 15, by striking out the words "or State-aided"; amend Sec. 3, page 2, line 17, by striking out the words "or State-aided"; amend Sec. 3, page 2, lines 20 and 21, by striking out the words "or State-aided."

On the question,
Will the Senate agree to the amendments?
They were agreed to.
On the question,
Will the Senate agree to the bill on third reading?

BILL OVER IN ORDER

Mr. LETZLER. Mr. President, I ask unanimous consent that Senate Bill No. 465, on third reading, go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 470, entitled:

An Act authorizing and creating an Anthracite Mine Subsidence Commission within the Department of Mines of the Commonwealth of Pennsylvania defining its jurisdiction and powers its duties to undertake studies and prepare such plan or plans as shall be deemed necessary to conserve anthracite to prevent the loss of life both on the surface and underground to prevent the destruction of property both underground and on the surface as a result of subsidence due to the removal of coal providing for the common good of the people in the Anthracite Region and the Anthracite Industry authorizing the commission to enter anthracite mines and the surface above such mines and to designate locations for bore holes for flushing mines providing for employes of said commission and their salaries imposing duties upon the commission and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 There is hereby created and established under the Secretary of Mines a commission to be known as the Anthracite Mine Subsidence Commission hereafter termed "commission" the members of which shall be known as commissioners

Section 2 The term "Anthracite Region wherever used in this act shall be construed to mean that part of the Commonwealth of Pennsylvania in which coal commonly called anthracite has been mined and is now being mined more particularly the Counties of Dauphin Schuylkill Northumberland Columbia Carbon Luzerne Lackawanna Wayne Susquehanna and other counties wherein said coal commonly called anthracite has been mined or is now being mined

Section 3 (a) The commission shall consist of three (3) members to be appointed by the Secretary of Mines with the approval of the Governor

(b) The commissioners first appointed under this act shall continue in office for terms of two four and six years respectively from the effectvie date of this act and until their respective successors shall be duly appointed and shall be notified but their successors shall each be appointed for a term of six years

(c) Each commissioner at the time of his appointment and qualification shall be a resident of the Commonwealth of Pennsylvania and shall have been a qualified elector therein for a period of at least one year next preceding his appointment and shall also be not less than thirty (30) years of age

(d) A member designated by the Secretary of Mines with the approval of the Governor shall be the chairman of the commission during such member's term of office When present the chairman shall preside at all meetings but in his absence a member designated by the chairman shall preside and shall exercise for the time being all the powers of the chairman

(e) Each of the commissioners shall receive an annual salary of six thousand dollars ($6,000) except the chairman who shall receive an annual salary of six thousand two hundred fifty dollars ($6,250) Each commissioner shall receive traveling and other expenses incurred in the performance of the work of the commission

(f) The Secretary of Mines shall be an ex officio member of the commission but shall have the authority to appoint one of his deputies or one of the Anthracite Mine Inspectors to act as an ex officio member whenever in his opinion such an appointment would promote the purpose of the act said ex officio member shall not receive additional compensation for so acting except reimbursement of traveling and other expenses necessary for the performance of the work of the commission nor shall he have any vote in the proceedings of the commission

Section 4 The secretary of Mines shall with the approval of the Governor appoint such clerks stenographers and other assistants as may be required for the proper conduct of the work of the commission The employes so engaged shall receive such compensation as shall be fixed by the Secretary of Mines with the approval of the Governor

Section 5 The Secretary of Mines shall with the approval of the Governor have the right to rent such office space and purchase such instruments and equipment as the commission may deem necessary to carry on its investigations and to carry out the duties required of them by this act

Section 6 To permit the commission to carry out the provisions of this act the members of the commission or any of their duly authorized employes or agents shall have the right to enter any anthracite mine for the purpose of making studies and investigations necessary to carry out the provisions of this act The members of the commission or any of the duly authorized agents or employes shall have the right to enter any property on the surface for the same purpose and shall also have the right to designate the location of any bore holes necessary to be drilled from the surface to the mine workings for the purpose of flushing said mine or portion of a mine to prevent the subsidence of the overlying strata

Section 7 The commission shall have the power and its duties shall be

(a) To undertake studies and prepare such plans as shall best prevent the loss of life and the destruction of property both on the surface and in the mines in the populated communities of the Anthracite Region of this Commonwealth

(b) To include in its studies the different methods commonly adopted and used for the prevention of destructive surface subsidence such as hydraulic flushing and hand packing of mined-out areas or any other practical method that may now be in use or may hereafter be discovered

(c) To so plan such practical methods of surface support as will permit the mining of such coal as could not otherwise be mined without serious loss to the mining industry to the owners of the coal the communities and the surface owners together with the improvements thereon

(d) To formulate plans for the utilization of breaker waste mine rock sand gravel and all other suitable material for the purpose of back-filling areas underlying inhabited communities from which coal has been mined or from which it is proposed to remove coal such backfilling to be planned with the view of affording the greatest good to the communities the people and the coal industry

(e) To prepare or cause to be prepared special plans for the prevention of surface subsidence in the Anthracite Region of Pennsylvania where such surface is improved and inhabited or upon which streets highways roads railways and other means of public travel or constructed

(f) To prepare or cause to be prepared general long-range programs or projects in cooperation with the Federal Government for the prevention of surface subsidence inhabited communities of the Anthracite Region and in such uninhabited portion of the said region where the removal of coal will endanger life or disturb destroy or render useless property either on the surface or in the mine

(g) To promote greater efficiency in the production of anthracite from the standpoint of recovery

(h) To study and if found practicable formulate a plan of subsidence insurance to provide protection for those whose properties may be damaged before the flushing program becomes effective and as soon as feasible to make an actuarial survey of the problems involved in such a plan

Section 8 For the convenience of the commission and to enable it to perform its duties it shall have access to the maps and plans now required by article three of the act approved the second day of June one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" to be furnished by each coal company to the Anthracite Mine Inspector

Section 9 The sum of fifty thousand dollars ($50,000) or as much thereof as may be necessary is hereby specifically appropriated out of the General Fund for the payment of salaries wages and other compensation of the commission clerks stenographers and other assistants and employes for the payment of traveling and other expense authorized by this act for postage stationery equipment printing and supplies

Section 10 All acts and parts of acts inconsistent with this act are hereby repealed

Section 11 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman
Coleman
Cox,
Crider,
Crowe,
Deitrick.

Dent,
Farrell,
Geltz,
Gourley,
Haluska
Heyburn,
Holland,
James,
Jones,
Kephart,

Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,

Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 497, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Navigation Commission of the Delaware River to secure accommodations ashore for use by said commission in the conduct of the nautical school now located at the Port of Philadelphia and making an appropriation

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies to be used to secure and provide suitable facilities and accommodations for use by the Navigation Commission for the Delaware River in the conduct of the nautical school now located at the Port of Philadelphia

Said facilities shall be adequate to provide board lodging and instruction for at least two hundred cadets and shall be located ashore

Section 2 No facilities or accommodations shall be secured or provided under the provisions of this act except with the approval of the Governor and the Navigation Commission of the Delaware River

In carrying out the purposes of this act the Department of Property and Supplies may acquire real property by purchase lease or gift but any leases deeds or titles involved shall be submitted to the Department of Justice for approval

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick

Dent,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,

Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,

Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 501, entitled:

An Act authorizing and directing the Board of Finance and Revenue of the Commonwealth of Pennsylvania to hear and determine petitions for refund of certain moneys paid into the State Treasury for documentary stamps under the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) and prescribing a limitation period within which such petitions must have been filed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The Board of Finance and Revenue of the Commonwealth of Pennsylvania shall have the power and it shall be its duty to hear and determine any petition for the refund of moneys paid into the State Treasury under the provisions of the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) for documentary stamps which were not sold or used during the effective period of said act provided such petition for refund was filed with the Board of Finance and Revenue on or before the sixteenth day of May one thousand nine hundred thirty-nine

Section 2 Any refunds allowed by the Board of Finance and Revenue of moneys paid into the State Treasury under the "Documentary Stamp Tax Act" approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 203) shall be paid out of appropriations heretofore or hereafter made for such purpose

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick.
Dent.
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 516, entitled:

An Act authorizing during the continuance of the present war and for a period thereafter the employment except during school hours or after the hour of eleven o'clock post meridian of certain male minors as pin boys in bowling alleys and suspending existing laws which prohibit such employment

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 During the continuance of the war in which the United States is now engaged and for a period of six months after the cessation of hostilities male minors fourteen years of age and over may be employed as pin boys in any bowling alley in this Commonwealth notwithstanding the provisions of any existing law and the rules and regulations of any department or agency of the Commonwealth contrary thereto This act does not authorize the employment of any such minor at any hour when such minor is required by existing law to attend school or after the hour of eleven o'clock post meridian

Section 2 The provisions of the act approved the thirteenth day of May one thousand nine hundred fifteen (P. L. 286) entitled "An act to provide for the health safety and welfare of minors by forbidding their employment of work in certain establishments and occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates for certain minors and prescribing the kinds thereof and the rules for the issuance reissuance filing return and recording of the same by providing that the Industrial Board shall under certain conditions determine and declare whether certain occupations are within the prohibitions of this act requiring that certain minors shall during the period of their employment attend certain schools to be established as therein provided and to be approved by the State Superintendent of Public Instruction and regulating the conditions of such attendance authorizing the State Board of Education in certain cases to appoint attendance officers to aid in enforcing the provisions of this act and creating the salary and expenses of such officers a charge against the school district wherein they are employed requiring certain abstracts and notices to be posted providing for the enforcement of this act by the Commissioner of Labor and Industry the attendance officers of school districts and police officers and defining the procedure in prosecutions thereunder and establishing certain presumptions in relation thereto providing penalties for the violation of the provisions thereof and repealing all acts or parts of acts inconsistent therewith" and section six hundred fifty-one of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" and of all other acts and parts of acts inconsistent herewith are hereby suspended in so far as they are inconsistent with the provisions of this act during the period this act shall remain in effect

Section 3 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Barr,
Becker,
Bowers,
Cox,
Crowe,
Deitrick.
Dent.
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Stevenson,
Tallman,
Thomas,
Watkins,
Wilson, T B.
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—12

Carr,
Chapman,
Coleman,
Crider,
James
Shapiro,
Snowden,
Stiefel,
Tyler,
Wade,
Walker,
Wilson, H. I.,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. RUTH. Mr. President, I ask unanimous consent that House Bill No. 544, on third reading, entitled:

An Act to reenact and amend the title and the act approved the fourteenth day of June one thousand nine hundred thirty-five (P. L. 341) entitled as amended "An act to provide revenue by imposing a State tax upon sales of cigarettes by dealers as herein defined requiring persons engaged in the sale of cigarettes at wholesale and retail to secure premits prescribing the method and manner of collecting such tax conferring powers and imposing duties on the Department of Revenue and persons as herein defined engaged in the sale of cigarettes at retail or wholesale and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time

go over in its order in order that the Committee on Education may have an opportunity to take up the matter I discussed yesterday.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 545, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (P. L. 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by imposing and continuing the additional emergency tax on liquid fuels for a further limited period of time.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. SHAPIRO. Mr. President, I am not going to bore the Senate by a long speech about this bill, but I do want to put on the record here that this is one of those destructive, terrible Earle tax bills which the previous Governor was going to wipe off the books. It is headed Emergency Tax, but it was not removed from the books by our previous Governor, in spite of the fact that he knew he was going to leave his administration with a surplus.

It is also as I say an emergency tax, passed specifically for relief, to aid the relief situation that existed at that time. That situation no longer exists.

I, therefore, am going to vote "no" on this bill.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 545, on final passage go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 546, entitled:

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time by reducing the rate of tax eliminating the deduction for Federal taxes further defining net income authorizing the Department of Revenue to grant an additional extension of time for filing reports changing the method of reporting in certain cases reducing the interest penalty on unpaid taxes and making certain of the changes effected by this reenacting and amending act retroactive to a certain extent

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations point-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as last reenacted and amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 62) are hereby reenacted and further amended to read as follows

An Act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties

Section 1 Short Title Be it enacted &c That this act shall be known and may be cited as the "Corporate Net Income Tax Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Corporation" A corporation having capital stock joint-stock association or limited partnership either organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency and doing business in this Commonwealth or having capital or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation The word "corporation" shall not include building and loan associations banks bank and trust companies national banks savings institutions trust companies title insurance companies beneficial life and limited life insurance companies mutual fire mutual casualty and mutual life insurance companies and foreign stock companies registered in this Commonwealth and therein engaged in doing business as life fire and casualty insurance companies and surety companies

"Department" The Department of Revenue of this Commonwealth

"Net Income" 1 In case the entire business of the corporation is transacted within this Commonwealth net income for the calendar year or fiscal year as returned to and ascertained by the Federal Government or in the case of a corporation participating in the filing of consolidated returns to the Federal Government the net income which would have been returned to and ascertained by the Federal Government if separate returns had been made to the Federal Government for the current and prior taxable years subject however to any correction thereof for fraud evasion or error as finally ascertained by the Federal Government Provided That except as hereinafter otherwise provided additional deductions shall be allowed from net income on account of any Federal income or excess profits taxes paid after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes during such calendar or fiscal year for the preceding calendar or fiscal year or accrued during such calendar or fiscal year for such year as the case may be and on account of any dividends received from any other corporation And provided further That in the case of a corporation participating in the filing of consolidated Federal returns the additional deduction allowed from net income on account of any Federal income or excess profits taxes paid or accrued shall be an amount which bears the same ratio to the total Federal income or excess profits taxes of the group after deducting therefrom an amount equivalent to any post-war refunds applicable to any such taxes as the net income of the corporation computed without a deduction for such Federal taxes bears to the sum of the net incomes of the several members of the group computed without a deduction for such Federal taxes and provided further That on reports filed for the calendar year one thousand nine hundred forty-three or for any fiscal year beginning in such calendar year or any calendar or fiscal year thereafter no deduction shall be allowed for any Federal income or excess profits taxes whatsoever And provided further That in the case of stock life fire casualty and indemnity insurance companies doing business on the mutual or participating plan the term "net income" shall not include the dividends paid to policyholders out of net income

2 In case the entire business of any corporation other than a corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as may be determined by allocations and apportionments made as follows

(a) Gains realized from the sale of capital assets if such assets consist of real estate or tangible personal property situated in the Commonwealth shall be allocated to this Commonwealth

(b) Gains realized from the sale of capital assets if such assets consist of real estate or tangible personal property situated outside of the Commonwealth shall not be allocated in any part to this Commonwealth

(c) The remainder of such net income shall be divided into three equal parts

(1) Of one-third such portion shall be attributed to business carried on within this Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the value of the corporation's tangible property situated within this Commonwealth and whose denominator is the value of all the corporation's tangible property wherever situated

(2) Of one-third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said one-third by a fraction whose numerator is the expenditures of the corporation for wages salaries commissions and other compensation to its employes and assignable to this Commonwealth as hereinafter provided and whose denominator is the total expenditures of the corporation for wages salaries commissions and other compensation to all its employes

(3) Of the remaining third such portion shall be attributed to business carried on within the Commonwealth as shall be found by multiplying said third by a fraction whose numerator is the amount of the taxpayer's gross receipts from business assignable to this Commonwealth as hereinafter provided and whose denominator is the amount of the taxpayer's gross receipts from all its business

In cases where only two of the foregoing three rules are applicable the remainder of the net income of the corporation shall be divided into two equal parts only each of which shall be apportioned in accordance with one of the remaining two rules If only one of the three rules is applicable the part of the net income received from business carried on within the Commonwealth shall be determined solely by that rule

The amount assignable to this Commonwealth of expenditures of the corporation for wages salaries commissions or other compensation to its employes shall be such expenditures for the taxable year as represent the wages salaries commissions or other compensation of employes not chiefly situated at connected with or sent out from premises for the transaction of business maintained by the corporation outside the Commonwealth

The amount of the corporation's gross receipts from business assignable to this Commonwealth shall be the amount of its gross receipts for the taxable year from (1) sales fees and commissions except those negotiated or effected in behalf of the corporation by agents or agencies chiefly situated at connected with or sent out from premises for the transaction of business maintained by the taxpayer outside of the Commonwealth (2) rentals or royalties from property situated or from the use of patents within this Commonwealth and (3) dividends and interest except such dividends and interest attributable to the business conducted on premises maintained by the taxpayer outside the Commonwealth If a corporation maintains an office warehouse or other place of business in a state other than this Commonwealth for the purpose of reducing its tax under this subsection the department shall in determining the amount of its gross receipts from business assignable to this Commonwealth include therein the gross receipts attributed by the corporation to the business conducted at such place of business in another state

A rule shall not be deemed to be inapplicable merely because all the tangible property or the expenditures of a corporation for wages salaries commissions or other compensation or the gross receipts of the corporation are found to be situated incurred or recevied without the Commonwealth

3 In case the entire business of any corporation engaged in doing business as an insurance or surety company is not transacted within this Commonwealth the tax imposed by this act shall be based upon such portion of the net income of such corporation for the fiscal or calendar year as defined in clause one hereof as shall be attributed to business transacted within this Commonwealth by multiplying such net income by a fraction of which the numerator is the gross premiums received from business transacted within the Commonwealth as hereinafter defined and of which the denominator is the amount of the gross premiums received from all its business "Gross Premiums" shall mean the amount of dues fees and premiums stated in the policy contracts and shall include gross premiums of every character and description received during the taxable year from all underwriting activities whether said premiums were received in money or in the form of notes credits or any other substitute for money less the following deductions

(a) All premiums returned on policies cancelled or not taken

(b) In the case of stock companies with participating features an additional deduction for that portion of the premiums returned to the policy-holders

(c) In the case of life insurance companies an additional deduction for dividends declared and actually used by policyholders in payment of renewal premiums

"Gross premiums received from business transacted in the Commonwealth" shall mean gross premiums received from policies and annuities written on property or risks located or resident in this Commonwealth whether such premiums were collected in this Commonwealth or elsewhere

"Person" Every natural person association or corporation Whenever used in any clause prescribing and imposing a fine or imprisonment or both the term "person" as applied to associations shall mean the partners or members thereof and as applied to corporations the officers thereof

The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Imposition of Tax Every corporation shall be subject to and shall pay for the privilege of doing business in this Commonwealth or having capitol or property employed or used in this Commonwealth by or in the name of itself or any person partnership association limited partnership joint-stock association or corporation a State excise tax at the rate of six per centum per annum upon each dollar of net income of such corporation received by and acruing to such corporation during the calendar year one thousand nine hundred thirty-five except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of six per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred and thirty-five and ending in the calendar year one thousand nine hundred thirty-six a similar tax at the rate of ten per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar year one thousand nine hundred thirty-six except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of ten per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal year commencing in the calendar year one thousand nine hundred thirty-six and ending in the calendar year one thousand nine hundred thirty-seven and a similar tax at the rate of seven per centum per annum upon each dollar of the net income of such corporation during the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one and one thousand nine hundred forty-two except when a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of seven per centum shall be levied collected and paid upon all net income received by and acruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hudred forty-one and one thousand nine hundred forty-two and a similar tax at the rate of four per centum per annum upon each dollar of the net income of such corporation received by and accruing to such corporation during the calendar years one thousand nine hundred forty-three and one thousand nine hundred forty-four except where a corporation reports to the Federal Government on the basis of a fiscal year and has certified such fact to the department as required by section four of this act in which case such tax at the rate of four per centum shall be levied collected and paid upon all net income received by and accruing to such corporation during the fiscal years commencing in the calendar years one thousand nine hundred forty-three and one thousand nine hundred forty-four

The tax hereby imposed shall be in addition to all taxes now imposed on any corporation under the provisions of existing laws

Section 4 Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every corporation liable to pay tax under this act on or before the fifteenth day of April one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousad nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two [and] one thousand nine hundred forty-three one thousand nine hundred forty-four and one thousand nine hundred forty-five to transmit to the department upon a from prescribed prepared and furnished by the department a report under oath or affirmation of its president vice-president or other principal officer and of its treasurer or assistant treasurer of net income taxable under the provisions of this act Such report shall set forth

(a) A true copy of its return to the Federal Government of the annual net income arising or accruing in the calendar or fiscal year next preceding or such part or portions of said return as the department may designate

(b) If no return was filed with the Federal Government the report made to the department shall show such information as would have been contained in a return to the Federal Government had one been made and

(c) Such other information as the department may require

The failure of any corporation liable to pay tax under this act to procure or receive any report form shall not excuse it from making a report

Every corporation upon the date its report is required herein to be made shall pay to the department not less than one-half of the tax due to the Commonwealth by it for such preceding year and the remaining one-half of such tax shall be paid within the thirty days next succeeding and except as otherwise provided by law no extension of time for the filing of any report granted by the department shall extend the date any tax imposed by this act shall be due and payable. The amount of all taxes imposed under the provisions of this act not paid on or before the times as above provided shall bear interest at the rate of six (6) per centum per annum from the date they are due and payable [until sixty (60) days after settlement and thereafter at the rate of twelve (12) per centum per annum until paid except that any taxes found due as the result of an appeal to the court of common pleas or any appellate court shall bear interest at the rate of six per centum per annum from the date such taxes are due and payable] until paid Provided however That any corporation may pay the full amount of such tax or any part theerof together with interest due to the date of payment without prejudice to its right to present and prosecute a petition for resettlement a petition for review or an appeal to court If it be thereafter determined that such taxes were overpaid the department shall enter a credit to the account of such corporation which may be used by it in the manner prescribed by law

If the officers of any corporation shall neglect or refuse to make any report as herein required or shall knowingly make any false report an additional ten per centum of the amount of the tax shall be added by the department to the tax determined to be due

If any corporation closes its fiscal year not upon the thirty-first day of December but upon some other date and reports to the Federal Government as of such other date or would so report were it to make a return to the Federal Government such corporation shall certify such fact to the Department of Revenue and shall make the report herein required within thirty (30) days after the return to the Federal Government is due or would be due were it to be required of such corporation subject in all other respects to the provisions of this act

If the corporation shall claim in its report that the return made to the Federal Government was inaccurate the amount claimed by it to be the net income taxable under this act and the basis of such claim of inaccuracy shall be fully specified

Section 5 Consolidated Reports The department [may upon application made to it in such form as it shall prescribe] shall not permit any corporation owning or controlling directly or indirectly [a majority] any of the voting capital stock of another corporation or of other corporations subject to the provisions of this act to make a consolidated report showing the combined net income [Provided That consolidated reports may be made only by corporations making consolidated returns to the Federal Government]

Section 6 Extension of Time to File Reports The department may upon application made to it in such form as it shall prescribe on or prior to the last day for filing any report and upon proper cause shown grant to the corporation required to file such report an extension of not more than sixt (60) days within which such report may be filed and in case the Federal income tax authorities at any time grant a longer extension of time for filing such reports with the Federal Government the department may grant an additional extension of time for filing the report under this act of not more than thirty (30) days after the termination of the Federal extension but the amount of tax due shall in such cases nevertheless be subject to interest from the due dates and at the rates fixed by this act

Section 7 Changes Made by Federal Government (a) If the amount of the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States such corporation within thirty (30) days after the receipt of such final change or correction shall make a corrected report under oath or affirmation to the department showing such finally changed or corrected net income upon which the tax is required to be paid to the United States In case a corporation fails to file a report of such correction which results in an increase in net income within the time prescribed there shall be added to the tax a penalty of five dollars ($5.00) for very day during which such corporation is in default but the department may abate any such penalty in whole or in part

(b) If as a result of such final change or correction there should be any change made in the amount of the net income of any corporation upon which tax is imposed by this act the department shall have the power and its duty shall be [to hear and determine any petition for the resettlement of taxes alleged to have been overpaid and upon the allowance of such petition] to resettle such taxes Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlements and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

Section 8 Settlement and Resettlement (a) All taxes due under this act shall be settled by the department and such settlement shall be subject to audit and approval by the Department of the Auditor General and shall so far as possible be made so that notice thereof may reach the taxpayer before the end of a year after the tax report was required to be made

(b) Promptly after the date of any such settlement the department shall send by mail or otherwise a copy thereof to such corporation The tax imposed by this act shall be settled resettled and otherwise imposed and adjusted in the same manner within the same periods of time and right of resettlement review appeal and refund as provided by law in the case of capital stock and franchise taxes imposed upon corporations

(c) If within a period of two years after the date of any settlement the department is not satisfied with such settlement or if at any time the net income as returned by any corporation to the Federal Government is finally changed or corrected by the Commissioner of Internal Revenue or by any other agency or court of the United States with the result that tax in addition to the amount paid is due under this act the department is hereby authorized and empowered to make a resettlement of the tax due by such corporation based upon the facts contained in the report or upon any information within its possession or that shall come into its possession

Whenever a resettlement shall have been made hereunder the department shall resettle the account according to law and shall credit or charge as the case may be the amount resulting from such resettlement upon the current accounts of the corporation with which it is made

The resettlement shall be subject to audit and approval by the Department of the Auditor General as in the case of original settlement and in case of the failure of the two departments to agree the resettlement shall be submitted to the Board of Finance and Revenue as in the case of original settlements

(d) If any corporation shall neglect or refuse to make any report and payment of tax required by this act the department shall estimate the tax due by such corporation and subject to audit and approval by the Department of the Auditor General settle the amount due by it for taxes penalties and interest thereon as prescribed herein from which settlement there shall be no right of review or appeal but the department with the approval of the Department of the Auditor General may require a report to be filed and thereupon make a settlement based upon such report and cancel the estimated settlement

Section 9 Enforcement Rules and Regulations Inquisitorial Powers of the Department (a) The department is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce rules and regulations not inconsistent with this act relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act and the collection of taxes penalties and interest imposed by this act The department is hereby required to have such rules and regulations promulgated and adopted printed and shall distribute the same to any person upon request

(b) The department or any agent authorized in writing by it is hereby authorized to examine the books papers and records and to investigate the character of the business of any corporation in order to verify the accuracy of any report made or if no report was made by such corporation to ascertain and settle the tax imposed by this act Every such corporation is hereby directed and required to give to the department or its duly authorized agent the means facilities and opportunity for such examinations and investigations as are hereby provided and authorized Any information gained by the department as a result of any returns investigations or verifications required to be made by this act shall be confidential except for official purposes and any person divulging such information shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) or more than one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

(c) Whenever any person acting for or on behalf of the department shall in good faith institute legal proceedings for any violations of the provisions of this act and for any reason shall fail to recover costs of record such costs shall be a charge upon the proper county as shall such costs in the event defendant is imprisoned for failure to pay fine or costs or both and shall be audited and paid as are costs of like character in said county

(d) The powers conferred by this act upon the department relating to the administration or enforcement of this act shall be in addition to but not exclusive of any other powers heretofore or hereafter conferred upon the department by law

Section 10 Retention of Records by Corporations Penalty Each corporation shall maintain and keep for a period of three (3) years after any report is filed under this act such record or records of its business within this Commonwealth for the period covered by such report and other pertinent papers as may be required by the department

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment for not more than six (6) months or both in the discretion of the court

Section 11 Penalties (a) Any person who shall wilfully make a false and fraudulent return of net income made taxable by this act shall be guilty of wilful and corrupt perjury and upon conviction thereof shall be subject to punishment as provided by law Such penalty shall be in addition to any other penalties imposed by this act

(b) Any person who wilfully fails neglects or refuses to make a report or to pay the tax as herein prescribed or who shall refuse to permit the department to examine the books papers and records of any corporation liable to pay tax under this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1000.00) and costs of prosecution or to undergo imprisonment not exceeding six (6) months or both in the discretion of the court Such penalty shall be in addition to any other penalties imposed by this act

Section 12 Constitutional Construction The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 13 Effective Date This act shall become effective immediately upon its final enactment and shall remain in force only for the imposition and collection of taxes on net income of corporations for the [eight] ten calendar years one thousand nine hundred thirty-five one thousand nine hundred thitrty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one [and] one thousand nine hundred forty-two one thousand nine hundred forty-three and one thousand nine hundred forty-four or for the [eight] ten fiscal years ending in the calendar years one thousand nine hundred thirty-six one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight one thousand nine hundred thirty-nine one thousand nine hundred forty one thousand nine hundred forty-one one thousand nine hundred forty-two [and] one thousand nine hundred forty-three one thousand nine hundred forty-four and one thousand nine hundred forty-five

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment and in addition to its prospective operation shall except to the extent its context expressly indicates otherwise be applicable also to the tax upon net income received by or accruing to corporations during the calendar year one thousand nine hundred forty-two or during any fiscal year commencing in the calendar year one thousand nine hundred forty-two as the case may be

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Becker,
Bowers,
Carr,
Chapman,
Crider,
Crowe,
Deitrick,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Mallery,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy,
Pres. Pro. Tem.

NAYS—12

Barr,
Coleman,
Cox,
Dent,
Gourley,
Haluska,
Holland,
McGinnis,
Ruth,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 547, entitled:

An Act making an appropriaiton for the expenses of the Committee of the Senate created by Senate Resolution Number three (Serial No. 66) adopted the twelfth day of July one thousand nine hundred forty-one to investigate rioting in Donaldson Schulykill County

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The sum of one thousand five hundred ($1500) dollars or as much thereof as may be necessary is hereby appropriated to the Committee created by Senate Resolution Number three (Serial No. 66) adopted the twelfth day of July one thousand nine hundred forty-one and authorized thereby to determine the actual and true facts connected with the disturbance in the town of Donaldson in Schuylkill County for the payment of the expenses of the necessary investigation by the committee including expenses of members of the committee cost of witnesses stenographic services compensation of clerks and other assistants and any other expenses of every kind that were incurred by the committee in connection with the conduct of its work

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 547, entitled:

An Act making an appropriation for the expenses of the Committee of the Senate created by Senate Resolution Number three (Serial No. 66) adopted the twelfth day of July, one thousand nine hundred forty-one, to investigate rioting in Donaldson, Schuylkill County.

On the question,

Will the Senate agree to the bill on third reading?

Mr. GELTZ. Mr. President, I ask unanimous consent to offer amendments at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

The Clerk read the amendments as follows:

Amend Sec. 1 (Sec. 23), page 2, by inserting between lines 15 and 16, the following: "or hereafter organized or incorporated by any other State;" Amend Sec. 1 (Sec. 23), page 2, line 17, by striking out all of said line; Amend Sec. 1 (Sec. 29), page 3, line 29, by striking out the word "period" and inserting in lieu thereof: "periods"; Amend Sec. 1 (Sec. 23), page 6, line 7, by striking out the word "municipality" and inserting in lieu thereof: "municipally".

On the question,

Will the Senate agree to the amendments?

They were agreed to.

Ordered, That the bill as amended lie over for printing on third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 548, entitled:

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The title and all the sections of the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as last reenacted and amended by the act approved the twenty-ninth day of May one thousand nine hundred forty-one (P. L. 77) are hereby reenacted and further amended to read as follows

An Act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board

Section 1 Be it enacted &c That the following words terms and phrases used in this act are for the purposes hereof defined as follows

"Liquor" Any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic and all drinks or drinkable liquids preparations or mixtures intended for beverage purposes which contain more than one-half of one per centum of alcohol by volume except alcohol and malt or brewed beverages

"Department" The Department of Revenue of this Commonwealth

"Board" The Pennsylvania Liquor Control Board of this Commonwealth

"Fiscal Month" The monthly period established from time to time by the Pennsylvania Liquor Control Board for the purpose of conducting its business

Section 2 Until the first day of June one thousand nine hundred [forty-three] forty-five an emergency State tax is hereby imposed and assessed at the rate of ten per centum of the net price of all liquors sold by the board The tax herein imposed shall be collected by the board from the purchasers of the liquor from the board The amount of such ten per centum so collected by the board under the provisions of this act shall be paid into the State Treasury through the department in the manner and within the times herein specified and shall be credited to the General Fund

Section 3 It shall be the duty of the board to transmit to the department on or before the fifteenth day of each calendar month a statement of its receipts from sales of liquor and taxes collected during the preceding fiscal month and such other information as may be necessary to effectuate the provisions of this act at which time it shall also be the duty of the board to pay to the department the tax imposed upon such liquor by the provisions of this act Provided however That the board may in its discretion add the tax imposed by this act to the wholesale and retail price at which liquors are sold and eliminate any accounting of such tax separate from sale prices and in such case the amount of the tax for any calendar month shall be ascertained by dividing the entire gross receipts derived from sales at Pennsylvania liquor stores during such month by eleven and the quotient thus obtained shall be deemed the amount of the tax for such month payable over under this section

Section 4 This act shall become effective immediately upon its final enactment

Section 2 This reenacting and amending act shall become effective immediately upon its final enactment

And said bill having read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. DENT. Mr. President, I just want to call the attention of the Senate to the fact that when this tax act was first enacted into law it was done for an emergency purpose, even against the good judgment of those who proposed the bill, because at that time we felt that due to the emergency we could properly set aside something that we had always believed to be a sound principle of government, that is, that under no circumstances should there be a tax upon a tax.

This ten per cent liquor tax is one of the most disgraceful things in the entire state of Pennsylvania, in so far as increasing the cost of any particular item is concerned, because of the method employed. I do not mean particularly as to the cost of liquor . . . that is not essential . . . but this just means that you can get away with it in this particular field better than you can in any other field. Here just recently we passed a bill removing a tax on public utilities and now we turn right around and place a double tax on a particular item in the state. It does not matter much whether you use liquor or not, it is the principle behind it, and therefore, I intend to vote "no".

Mr. SHAPIRO. Mr. President, I suppose the gentleman from Schuylkill, Senator Watkins, will say you should discount what I am going to say by fifty per cent, but I suggest that before be does so, he go look at the same figures that I did.

The budget for the biennium ending May, 1943 shows an anticipated revenue from liquor profits of $30,000,000. The profit up to, I think it was thirty days ago, was $46,000,000 and some odd hundreds, or $16,000,000 in excess of the estimated revenue.

Why we need a ten per cent tax on liquor, which was imposed as an emergency tax, when the business is running close to $50,000,000 in two years, is more than I can understand, especially in view of the circumstances that exist here in Pennsylvania. If you are prohibitionists and do not want any liquor, then you do not have to have it but if you do have liquor, there is no reason why you should make criminals out of the citizens of the Commonwealth of Pennsylvania, which is what you are doing today.

Liquor distillers will not sell liquor to Pennsylvania when they can get outside customers, because, we have a price fixing principle, and they can sell to individuals in other states and they do that. Concerns that sold as high as thirty or forty per cent of their liquor to the Commonwealth of Pennsylvania, two and one half or three years ago, are now selling only five per cent, and the other twenty-five or thirty per cent goes to other states where they can get higher prices for it, and where they do not have state controlled stores.

This tax nobody can say is a necessary tax. If you take the view that liquor should not be sold, you should put a forty per cent tax on it, but if you take the view that liquor should be sold, and you are running it on a businesslike basis, you should give the people of Pennsylvania the same fair treatment that people in other states get.

If you had an emergency, that might be an excuse, but you do not have any emergency; here you have a business which has earned a profit of $46,000,000 in two years, and that does not include an additional profit of $4,000,000 which will be realized in the next two months. What is the excuse for this tax?

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Becker,
Bowers,
Carr,
Chapman,
Cox,
Crider,
Crowe,
Deitrick,
Farrell,
Geltz,
Heyburn,
James,
Jones,
Kephart,
Letzler,
Mallery,
Ruth,
Snowden,
Stevenson,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Ealy,
Pres. Pro. Tem.

NAYS—11

Barr,
Coleman,
Dent,
Gourley,
Haluska,
Holland,
McGinnis,
McQuiddy,
Shapiro,
Stiefel,
Woodring,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 576, entitled:

An Act to add clause fifty-three and one tenth to section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" authorizing the sale of unsued and unecessary land and buildings

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" is hereby amended by adding between clauses fifty-three and fifty-four thereof a new clause to read as follows

Section 2403 Specific Powers In addition to other powers granted by this act the council of each city shall have power by ordinance

* * * *

53.1 Sale of Unused and Unnecessary Land and Buildings To sell unusual and unnecessary lands and buildings by any of the following methods and subject to the following provisions

(a) By public auction conducted by a dicensed auctioneer either on the premises to be sold or at places selected by council after due notice by publication in one or more newspapers of general circulation published within the city once a week for three successive weeks before the date fixed for said sales and by hand bills one or more of which must be posted on the property proposed to be sold and at least five of which must be posted at conspicious places within the vicinity of said real estate terms and conditions of said sale to be fixed by council in the ordinance authorizing said sales

(b) Upon sealed bids requested by council notice of the request for sealed bids to be given as in (a) terms and conditions of said sale to be fixed by council in the ordinance authorizing the request for sealed bids

(c) At private sale subject to the approval of the court of common pleas of the county in which the city is located said authority to be secured from said court upon petition of council which petition shall be executed by the proper officers of council and which petition shall contain a full and complete description of the land proposed to be sold a brief description and character of the building or buildings erected thereon if any the name of the prospective purchaser the amount offered for said property and it shall have attached thereto an affidavit of at least two persons who are familiar with the values of real estate in the locality in which the land and buildings proposed to be sold are located to the effect that they have examined said property that the price offered therefor is a fair and reasonable one and in their opinion a better price than could be obtained at public sale and that they are not interested either directly or indirectly in the purchase or sale thereof that before the court may act upon said petition it shall fix a time for the hearing of said petition and direct that public notice thereof be given as provided in clause (a) A return of sale shall be made to said court after the sale has been consummated and the deed executed and delivered.

(d) Council may at its discretion when selling property as authorized in (a) (b) and (c) sell and convey said properties to the purchasers for the accepted consideration payable partly in cash and partly in the form of a purchase money mortgage (and bond) to be paid in not more than five years from the date thereof and bearing interest at the rate of not less than five per centum said mortgage and bond to contain the customary provisions having to do with fire insurance and the payment of taxes water rents and assessments by the mortgagor and obligor

(e) Council when selling property at private sale as authorized in (c) may engage the services of licensed real estate brokers to secure prospective purchasers and pay them the customary real estate agents' commission charged within the various cities but only in the event the sale is actually consummated by said brokers

(f) The moneys derived from said sales shall be paid into the general fund of the city and shall be expended for debt service payments if the city has bonded indebtedness or for the purpose of capital outlay

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 587, entitled:

An Act authorizing the treasurer of any city or county of the first class during the continuance of the hostilities incident to the present war and for six months thereafter to invest money in the treasury of such city or county not required for immediate use in certain obligations of the United States Government and to sell or have the same redeemed

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The treasurer of any city or county of the first class is hereby authorized during the continuance of the hostilities incident to the present war and for six months thereafter to invest money in the treasury of such city or county not required for immediate use in obligations of the United States Government at a price not exceeding par and accrued interest and registered as to principal and interest in the name of such city or county and which obligations shall mature or become payable not more than one year from the time the investment is made

Section 2 The said treasurer of any city or county is further authorized to sell or have redeemed any obligations so purchased

Section 3 All acts and parts of acts inconsistent herewith are hereby suspended during the continuance of hostilities incident to the present war and for six months thereafter

Section 4 The provisions of this act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of House Bill No. 626, entitled:

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors where the Township has received in maintenance and improvement of its highways a reasonable quid pro quo for such contracts and to authorize ratify confirm and validate payments on such contracts by the Township and to provide that no Township Supervisor shall be subject to surcharge for payments heretofore made on any such contract

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That whenever any Board of Township Supervisors of any township of the Second Class shall have heretofore hired any work to be done purchased any materials or made any contracts for the township the hiring purchasing or making of which is authorized under the provisions of the Second Class Township Laws of the Commonwealth and such Township has received in maintenance and improvement of its highways a reasonable quid pro quo for such hiring purchasing or contracting and no fraud or dishonesty on the part of the said Township Supervisors has been shown then such hiring purchasing and contracting shall be valid and binding on the township and payment for such hiring purchasing and contracting by the township is hereby authorized ratified confirmed and validated notwithstanding the fact that such contract was legally null and void by reason of the fact that moneys were expended on contracts let for the repair and maintenance of the highways in excess of the sums budgeted and appropriated for such purposes or that money was paid out of the township treasury upon appropriation not made according to law or that no appropriation was made in the budget for such hiring purchasing or contracting or that disbursements were made without previous appropriation according to law and for payment of obligations legislatively declared to be beyond the power of the supervisors to incur or by reason of any other defect in compliance with or for failure or omission to comply with the township laws of this Commonwealth regulating the hiring of any work to be done the purchasing of any materials or the making of any contracts No Board of Township Supervisors nor any member thereof shall be subject to surcharge for payments heretofore made by any Board of Township Supervisors on any such contract even though judgment may have already been entered against any such township supervisors on any such contract

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Farrell,
Geltz,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McGinnis,
McQuiddy,
Ruth,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Walker,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that House Bill No. 1056, on third reading, entitled:

An Act abolishing the entire Mercantile License Tax System repealing the various license taxes under said system except as to taxes already due abolishing certain offices and employments providing for the collection of delinquent taxes providing for the final settlement of accounts between the Commonwealth and county treasurers and making certain repeals

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

ERRATUM

Mr. SHAPIRO. Mr. President, in connection with the postponed Calendar I notice that House Bill No. 232 appears on the postponed Calendar as of today, and I recall yesterday that bill was recommitted to the Committee on Judiciary Special.

The PRESIDENT PRO TEMPORE. For the information of the gentleman from Philadelphia, Senator Shapiro, the Chair is informed that House Bill No. 232 appears on the postponed Calendar by mistake. The bill was recommitted and will not appear on the Calendar again.

Mr. SHAPIRO. Then, Mr. President, may we have the record show that House Bill No. 232 appears on the postponed Calendar for today by mistake.

The PRESIDENT PRO TEMPORE. If there is no objection, such notation will be made in the Journal.

BILLS ON SECOND READING

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 46, on second reading, entitled:

An Act relating to labor organizations protecting the rights of members thereof imposing certain responsibilities and duties upon the officers of labor organizations requiring the registration of foreign labor organizations, and prohibiting gifts by labor organizations to political organizations or candidates for election or nominations, and regulating the making of loans; conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

PERMISSION TO ADDRESS SENATE

Mr. SHAPIRO asked and obtained unanimous consent to address the Senate.

Mr. SHAPIRO. Mr. President, I have asked unanimous consent to address the Senate because I desire to read to the Senate a letter, and I want to read it at a time when there will be controversy, because I have no desire to confuse this letter with any controversial subject.

This is a letter, Mr. President, which should be of interest to all the members of the Senate, and I read it for that purpose, because many of us are prone to talk about our flag, sacrifice, and liberty, and forget what they really stand for. Many of us know that a lot of young boys have gone away to war, but few of us realize the impressions that this war has made upon them and the changes that occur in a short period of time. This letter was written by a young boy whose college education was interrupted to enable him to enter the Navy. It is addressed to his two year old nephew and reads as follows:

"April 7, 1943.

"Dear Paul:

"It comes to me in this lull in my morning's toil that the day is fast approaching when you will be celebrating your second birthday. Such an occasion could hardly be allowed to pass without a few words of acknowledgment and congratulation from your old uncle, despite the distances that may separate us at the moment.

"I remember quite well the happy day on which you first put in your appearance on this earthly scene. That night your Uncle Charles, who was then in his senior year at college and far more carefree than he might have been had he foreseen the events of the next few years, celebrated your arrival in an exceedingly hilarious manner at a sorority dance. He was quite happy to be your uncle, and he has continued to be happy in the knowledge of your presence for these nearly two years. He has reveled in the reflected glory of your pleasing development and is unhappy only in the thought that he is not at home to watch you grow up and in the pleasure that he is missing by that absence. Your Daddy writes to me that you are now able to form whole sentences, and I take some pardonable pride in the knowledge that you mention my name from time to time even though you do not see me these days.

"However I am away from you and from home because there is important work to be done so that you may continue to grow and develop in a free and uninhibited fashion for now and for many years to come......this afternoon, and every afternoon since I have been here, a parade went by the hotel in which I now live. It was a parade of American soldiers carrying the American Flag. And, as that Flag passed by, everyone sitting at the sidewalk cafe rose, and stood at attention. Uniformed men of the United States, Free France, Great Britain, and many other nations stood and saluted that Flag......I had to travel many miles to see a sight such as that, Paul, I never saw it done at home except on very special, and prearranged occasions......that is why I have to be where I am. Because nobody ever took to their hearts that Flag and the important things for which it stands. And, that is why I am writing to you now as I do. Because I want you to start now, when you are just two years old, to learn to honor and respect that flag forever and for all time. Because if you start now, and learn the meaning of that emblem you will never have to travel thousands of miles to defend it. Because if you learn now, and never forget that Flag's importance to you and to your Daddy and Mommy, and to your Uncle Chas no one will ever dare to encroach on the liberties for which it stands.

"With my best wishes to you on your birthday, and to your Mommy and Daddy,

"I am fondly your Uncle Chas."

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 222, entitled:

An Act to amend section one of the act approved the twenty-second day of May one thousand nine hundred thirty-three (P. L. 851) entitled "An act fixing the pay and mileage of jurors and witnesses" changing the pay of jurors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 291, entitled:

An Act to further amend section forty-nine of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled as amended "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein the survival of causes of action and suits thereupon by or against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by changing the provisions of subsection (b) thereof which authorize executors or administrators to make distribution and pay or deliver legacies without the audit of their accounts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. HEYBURN. Mr. President, I was under the impression that some Senator desired to offer amendments to this bill.

Mr. STIEFEL. Mr. President, at the suggestion of the gentleman from Delaware, Senator Heyburn, Senator Woodring and myself examined this bill, and we found from the context of the bill that the proposed amendments are not needed, because the provision of six months, which some members wanted to insert, is placed elsewhere in the bill.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 357, entitled:

An Act to amend the act approved the twenty-third day of June, one thousand nine hundred thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," providing for exonerations of sewer liens and the discharge of properties covered thereby.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 398, entitled:

An Act regulating the issuance of execution on judgments confessed on written instruments; and providing that when such judgments are entered in one county, defenses may be made to the same by petitions to open filed in any other county where execution thereon is issued or made

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendment:

Amend sec. 1, page 2, line 5, by striking out the words "giving an", and inserting in lieu thereof the following: "specifying a name and".

It was agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Mr. GOURLEY offered the following amendment:

Amend sec. 2 page 2, by inserting between lines 25 and 26 the following: "Whenever a judgment is ordered opened in a court other than the court in which the judgment was originally entered a copy of the order shall be certified within three days thereafter by the prothonotary of the court where the order is made to the prothonotary of the court of original entry".

It was agreed to.

The section was agreed to as amended.

The third section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 403, entitled:

An Act to amend section seven of the act approved the seventeenth day of May one thousand nine hundred seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by requiring a copy of the latest edition of the Year Book of the Pennsylvania Pharmaceutical Association to be kept in every pharmacy.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 441, entitled:

An Act to amend article forty-three of the act, approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto," authorizing the organizations, associations or boards having charge of police, firemen's and other city employes' pension or retirement funds to enter into contracts with insurance companies whereby such companies undertake to pay any pension, retirement or other allowance which may become due under said article forty-three, to policemen, firemen and other employes; prescribing how the costs of securing and continuing such contracts may be met; providing for certain future adjustments in said contracts in case the Federal Social Security benefits are extended to policemen, firemen and other employes; providing for certain modifications of the rights of policemen, firemen, and other employes relating to pensions or retirement; and authorizing city councils to make certain appropriations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 442, entitled:

An Act to amend Section 2 of, and to add Section 8.1 to, the act, approved the eighth day of July, one thousand nine hundred forty-one (P. L. 298), entitled "An act authorizing the creation of, and providing for, and regulating the maintenance and operation of a county employes' retirement system in counties of the fourth class, imposing certain charges on counties and fixing penalties," by reducing "regular interest" to be paid on contributors' accounts from three and one-half per centum to two per centum; authorizing the retirement boards in said counties to enter into contracts with certain insurance companies, whereby such companies will undertake to pay any retirement allowance which may become due under the aforesaid act to original or new members of the county retirement system; prescribing how the payments or premiums due to insurance companies under such contracts shall be met; providing for certain future adjustments in said contracts in case the Federal Social Security System in hereafter extended to include county employes; and providing for certain modifications of the rights of original and new members of county retirement systems in such counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that House Bill No. 442 on second reading, entitled:

An Act to further amend section two hundred seventy-six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by changing the salaries of certain county detectives in counties of the second class

be recommitted to the Committee on County Government.

Mr. SNOWDEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. GELTZ and Mr. WALKER and were as follows, viz:

YEAS—36

Barr,
Becker,
Bowers,
Carr,
Chapman,
Coleman,
Cox,
Crider,
Crowe,
Deitrick,
Dent,
Farrell,
Gourley,
Haluska,
Heyburn,
Holland,
James,
Jones,
Kephart,
Letzler,
Mallery,
McQuiddy,
Ruth,
Shapiro,
Snowden,
Stevenson,
Stiefel,
Tallman,
Thomas,
Tyler,
Wade,
Watkins,
Wilson, H. I.,
Wilson, T. B.,
Woodring,
Ealy,
Pres. Pro. Tem.

NAYS—2

Geltz,
Walker,

So the question was determined in the affirmative.

BILLS OVER IN ORDER

Mr. JAMES. Mr. President, I ask unanimous consent that Senate Bill No. 471, on second reading, entitled:

An Act limiting the time within which suits or actions hereafter begun, shall be brought for damages to surface land and property resulting from the mining of coal and operations in connection therewith

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 473, on second reading, entitled:

An Act to further amend sections four five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by limiting the power of an Authority to acquire the title to projects subject to the jurisdiction of the Pennsylvania Public Utility Commission authorizing an appeal to the court of common pleas from such action on the part of the Authority; and providing that Authority bonds shall be sold only at public sale after public notice by advertisement

go over in its order temporarily.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 494, entitled:

An Act to amend Article VI of the act approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by making it unlawful to throw certain articles upon the land of another and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 517, entitled:

An Act to further amend section ten of the act, approved the twenty-ninth day of May, one thousand eight hundred and eighty-five (P. L. 29) entitled "An act to provide for the incorporation and regulation of natural gas companies," providing that natural gas companies shall have the right of eminent domain for the storage of natural gas and manufactured fuel gas beneath the surface of any lands situate within the territory of production, pipe lines, or of supply of such corporation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 524, entitled:

An Act to amend sections four hundred twenty-six and four hundred twenty-seven of the act, approved the twenty-first day of June, one thousand nine hundred thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment, establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," conferring exclusive jurisdiction on the county court of Allegheny County in cases of appeals from the Workmen's Compensation Board.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 556, on second reading, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen, and to make uniform the law with reference thereto

go over in its order temporarily.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 557, entitled:

An Act to further amend section one of the act approved the seventeenth day of June, one thousand nine hundred thirteen P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotraies and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by excluding from the provisions thereof personal property held in trust under the terms of a stock bonus, pension, annuity, or profit-sharing or deferred compensation plan, as herein defined, maintained by an employer for the exclusive benefit of his employes or their beneficiaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SENATE BILL No. 556, PRINTER'S No. 295 CALLED UP

Mr. WALKER. Mr. President, I call up at this time Senate Bill No. 556, Printer's No. 295, page 16 of the Calendar which temporarily went over in its order.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 556, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen, and to make uniform the law with reference thereto.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 558, on second reading, entitled:

An Act to amend paragraph (1), subsection (a), section three of the act approved the twenty-fifth day of June, one thousand nine hundred thirty-seven (P. L. 2063), entitled "An act providing for the payment into the State Treasury, without escheat, of certain moneys and property subject to escheat under existing law, namely unclaimed dividends and profits, certain debts, and interest on certain debts, proceeds of policies of insurance, stock and customers deposits held by certain limited partnerships and unincorporated associations, joint-stock associations, companies and corporations doing business under the laws of this Commonwealth; declaring the legislative intent with respect to such payments; requiring reports of such money and property by, and imposing other duties upon, such partnerships, associations, and corporations; conferring powers and imposing duties on certain State officers, boards, and departments; providing for jurisdiction of courts, and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue; providing for refunds of such moneys and property; and prescribing penalties," by providing for the report and escheat of certain declared dividends and profits

be recommitted to the Committee on Banking at the request of the sponsor.

Mr. BECKER. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 567, on second reading, entitled:

An Act to add subsection E to section two hundred two of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," prohibiting domestic and foreign business corporations from doing business, entering into contracts or advertising under any but its corporate name; and prescribing penalties

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 570, entitled:

An Act relating to assessment for taxation in counties of the fourth, fifth, sixth, seventh and eighth classes; designating the subjects, property and persons subject to and exempt from taxation for county, borough, town, township, school, except in cities, and county institution district, purposes; and providing for and regulating the assessment and valuation thereof for such purposes; creating in each such county a board for the assessment and revision of taxes; defining the powers and duties of such boards; providing for the acceptance of this act by cities; regulating the office of ward, borough, town and township assessors; abolishing the offices of assistant assessor and assistant triennial assessor in townhips of the first class; providing for the appointment of a chief assessor, assistant assessors and other employes; providing for their compensation payable by such counties; prescribing certain duties of and certain fees to be collected by the recorder of deeds; and eliminating the triennial assessment

The first, second, third and fourth articles were separately read and agreed to.

The fifth article was read.

On the question,

Will the Senate agree to the article?

Mr. WOODRING offered the following amendments:

Amend bill, section 503, page 15 at line 23 by striking out the word "either"; amend bill, section 503, page 15 at line 24 by striking out the words "or shall direct the chief assessor to act" and by striking out all of line 25.

They were agreed to.

The article was agreed to as amended.

The sixth, seventh and eighth articles and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 573, entitled:

An Act to amend sections two and three of the act, approved the twenty-fourth day of July, one thousand nine hundred and forty-one (P. L. 490), entitled "An act relating to acknowledgments of written instruments, and to make uniform the law with relation thereto," by authorizing deputy recorders of deeds to take acknowledgments, and validating acknowledgments taken by them

And said bill having been read at length the second time and agreed to,

Orderd, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HEYBURN. Mr. President, I ask unanimous consent that Senate Bill No. 574, on second reading, entitled:

An Act abating unpaid tax penalties and interest on certain city and school taxes heretofore levied by cities of the first class and school districts of the first class against real estate owned by certain institutions of purely public charity and giving such taxing authorities the right to reject the provisions of the act.

go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 595, entitled:

An Act to amend section twelve of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled "An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class; creating and prescribing the powers and duties of a Board of Property Assessment, Appeals and Review; imposing duties on certain county and city officers; abolishing the board for the assessment and revision of taxes in such counties; and prescribing penalties," conferring jurisdiction on the county court of Allegheny county in cases of appeals from the board of property assessment, appeals and review

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 675, entitled:

An Act to further amend section seventeen of the act approved the twenty-ninth day of May one thousand nine hundred thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" making the sale of land purchased at treasurer's sale discretionary and authorizing the sale of such property on court order free and clear of all liens charges and estates

The first section was read.

On the question,

Will the Senate agree to the section?

Mr. HEYBURN on behalf of Mr. WALKER offered the following amendments:

Amend Sec. 1 (Sec. 17), page 2, line 21, by inserting after the word "period" the following: "of redemption"; amend Sec. 1 (Sec. 17), page 3, line 3, by inserting at the end of said line, the following: "including property heretofore exposed to sale by the county commissioners and for which no bids have been received"; amend Sec. 1 (Sec. 17), page 4, line 1, by inserting after the word "including" the following: "tax liens of the Commonwealth"; amend Sec. 1 (Sec. 17), page 4, line 5, by striking out the word "and"; amend Sec. 1 (Sec. 17), page 4, line 6, by inserting after the word "property" the following: "and the amount of the municipal claims against the property"; amend Sec. 1 (Sec. 17), page 4, lines 18 and 19, by striking out the words "sufficient to pay all costs and all tax claims against the property" and inserting in lieu thereof: "as above provided"; amend Sec. 1 (Sec. 17), page 4, line 22, by striking out the words "or title insurance policy"; amend Sec. 1 (Sec. 17), page 4, line 24, by striking out the words "tax and"; amend Sec. 1 (Sec. 17), page 4, line 24, by inserting after the word "mortgages" the following: "and"; amend Sec. 1 (Sec. 17), page 4, line 25, by striking out the words "or other charges on or estates in the land" and inserting in lieu thereof: "against the same which were not divested by the county treasurer's sale"; amend Sec. 1 (Sec. 17), page 5, lines 1 and 2, by striking out the words "claims mortgages charges and estates" and inserting in lieu thereof: "mortgages, municipal claims and ground rents"; amend Sec. 1 (Sec. 17) page 5, lines 9 and 10, by striking out the words "claims liens mortgages charges and estates" and inserting in lieu thereof: "mortgages, municipal claims and ground rents"; amend Sec. 1 (Sec. 17), page 5, line 12, by striking out all of said line, and inserting in lieu thereof: "to payment first of the costs of sale, second the tax liens of the Commonwealth, if any, third taxes due the various taxing districts in proportion to their respective interests, and fourth municipal claims due on such property. The"; amend Sec. 1 (Sec. 17), page 5, line 13, by inserting after the word "sale" the following: "Or any owner who redeems as hereinafter provided"; amend Sec. 1 (Sec. 17), page 5, line 16, by inserting after the word "kind" the following: "Provided, however, That any owner of the property so sold may, within ten days after the date of the said sale, redeem the property so sold upon payment of the bid price and the costs of sale, and a penalty of ten per centum (10%) of the bid price, which penalty shall be distributed as a part of the proceeds of the sale"; amend Sec. 1 (Sec. 17, page 5, by inserting after line 26, a new paragraph as follows: "All public or private sales of any such lands heretofore made by any county commissioners shall be valid and binding on the county, and all deeds and conveyances given by the county for any such lands are hereby ratified, confirmed and validated, and the purchasers thereof and their respective heirs, successors and assigns shall hold and may convey such titles and estates indefeasibly as to any rights of the county therein, notwithstanding the fact that the time within which such sales were by law required to be made had expired when such sales were made."

They were agreed to.

The section was agreed to as amended.

The title was read.

On the question,

Will the Senate agree to the title?

Mr. HEYBURN on behalf of Mr. WALKER offered the following amendments:

Amend title, page 2, line 1 of title, by inserting after the word "order" the following: "and the redemption thereof after such sale"; amend title, page 2, last line of title, by striking out the words "liens charges and estates" and inserting in lieu thereof: "mortgages, municipal claims and ground rents and validating previous sales."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time, as amended,

On the question,

Will the Senate agree to the bill on second reading?

Mr. HENRY I. WILSON. Mr. President, On behalf of the gentleman from Allegheny, Senator Walker, amendments have just been offered to this bill by Senator Heyburn, which have been adopted, and the title has been approved. Before the motion is put that the bill be passed on second reading, I wish that I may be given an opportunity to talk on the question or debate it on second reading and I, therefore, should like to ask that this bill go over in its order without having had a second reading, but with the amendments inserted.

Mr. HEYBURN. I have no objection, Mr. President.

BILL OVER IN ORDER

Mr. HENRY I. WILSON. Mr. President, I ask unanimous consent that House Bill No. 675, on second reading, go over in its order.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 684, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by authorizing the certain officers of dissolved business corporations to execute and deliver deeds, conveyances, agreements, assignments or other instruments necessary to perfect or complete transfers of real property or rights therein intended to have been completed or perfected by such corporations prior to dissolution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVED AND SIGNED SENATE CONCURRENT RESOLUTION RECALLING SENATE BILL No. 112, PRINTER'S No. 189 FOR AMENDMENT

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1943.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Concurrent Resolution recalling from the Governor Senate Bill No. 112, Printer's No. 189, for amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN.

SENATE BILL No. 112 LAID ON THE TABLE

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 112, Printer's No. 189, just returned by the Governor, entilted:

An Act providing for the retention on the several permanent personal registration lists of electors of the names of persons who are members of any branch of the armed forces of the United States or of any uniformed organization of women officially connnected therewith providing for proof of such membership prescribing penalties for making false statements in connection therewith prohibiting cancellation of registration for failure to vote during this period and suspending inconsistent laws during the effective period of the act

be laid on the table.

Mr. SCARLETT. Mr. President, I second the motion.

The motion was agreed to.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 170

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 170, entitled:

An Act to further amend the act, approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "Administrative Code of 1929," by changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 232

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 332, entitled:

An Act to amend section one thousand two hundred twelve of the act, approved the third day of June, one thousand nine hundred thirty-seven (. L. 1225), entitled "The Game Law," by authorizing the refund of certain moneys erroneously paid into the State Treasury for hunting license fees by former county treasurers.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 363

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 363, entitled:

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown, County of Montgomery, Pennsylvania.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 390

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 390, entitled:

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "Dog Law of 1921" by providing for the issuing of free licenses for seeing-eye dogs.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL No. 549

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 549, entitled:

An Act to further amend sections three hundred one and three hundred three of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "Fiscal Code," by authorizing the Treasury Department, with the approval of the Governor, to invest State deposits in short-term obligations of the United States government and to dispose of the same.

HOUSE RECEDES FROM ITS NON-CONCURRENCE TO SENATE AMENDMENTS TO HOUSE BILL No. 686

He also presented a communication from the House of Representatives informing the Senate that the House has receded from its non-concurrence in the amendments made by the Senate to House Bill No. 686, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years, and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time, under certain circumstances requiring the keeping of records and the making of reports and providing penalties

and that the House of Representatives concurs in the amendments.

HOUSE NON-CONCURS IN AMENDMENTS TO SENATE BILL No. 135 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has non-concurred in amendments made by the Senate to Senate Bill No. 135, entitled:

An Act to amend section seven hundred sixteen of the act approved the third day of June, one thousand nine hundred thirty-seven, (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances and making it unlawful to buy or sell raccoons for propagating purposes.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

SENATE BILL No. 135 LAID ON THE TABLE

Mr. HEYBURN. Mr. President, I move that Senate Bill No. 135, be laid on the table.

Mr. LETZLER. Mr. President, I second the motion.

The motion was agreed to.

BILL INTRODUCED AND REFERRED

Mr. KEPHART. Mr. President, I ask unanimous consent to introduce a bill at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Messrs. KEPHART and SHAPIRO read in their places and presented to the Chair, Senate Bill No. 623, entitled:

An Act to further amend section six hundred three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled, as amended "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by providing that an attorney-at-law or a licensed real estate broker shall not be required to obtain a license to act as agent for a domestic title insurance company.

Which was committed to the Committee on Banking.

REPORTS FROM COMMITTEES

Mr. FARRELL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. FARRELL, from the Committee on Public Health, reported as committed, Senate Bill No. 602, entitled:

An Act making it lawful, during the continuance of the present war, and for six months thereafter, for drug stores and pharmacies to operate, subject to certain conditions and for limited periods, without the necessity for a registered pharmacist or assistants pharmacist in attendance.

Mr. CROWE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. CROWE, from the Committee on Forests and Waters, Game and Fish, reported as amended, Senate Bill No. 580, entitled:

An Act to add Section 806.1 to the act, approved the third day of June, one thousand nine hundred thirty-seven (P. L. 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," making it unlawful for any person, while hunting or trapping, to carry any firearm with the safety off, except during the momentary interval of time necessary to permit the discharge of such firearm; and providing penalties.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 30, entitled:

An Act making an appropriation to The Franklin Institute of the State of Pennsylvania at Philadelphia.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 94, entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 115, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" by permitting the use of red signal lights and sound devices on certain additional vehicles changing the provisions concerning rights of way and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 121, entitled:

An Act to further amend the title and sections one and three of, and to add section four to, the act, approved the tenth day of April, one thousand nine hundred thirty-one (P. L. 23), entitled as amended "An act providing for the acceptance by the Commonwealth of a gift of lands from the American Petroleum Institute, located on the left bank of Oil Creek, in Oil Creek Township or Cherry Tree Township, or both, Venango County, to establish the Drake Well Memorial Park, under the control and supervision of the Department of Forests and Waters; empowering the Department of Property and Supplies to acquire additional lands for such Memorial Park without cost to the Commonwealth; and making an appropriation, changing the name of said memorial and placing it under the supervision and control of the Pennsylvania Historical Commission, defining the powers and duties of the commission relative thereto, authorizing the employment of certain employes and the payment of their salaries; and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 123, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, formerly Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 171, entitled:

An Act making an appropriation to the Department of Forests and Waters, to be used for the purchase of lands in the vicinity of the tract now owned by the Commonwealth containing the birthplace of James Buchanan in Franklin County.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 336, entitled:

An Act making an appropriation for The Dixmont Hospital, Dixmont, Allegheny County to provide for the repayment of a loan heretofore made by said hospital to provide funds necessary in the maintenance of said hospital.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 338, entitled:

An Act making a certain deficiency appropriation to the Department of Welfare for The Dixmont Hospital, Dixmont, Allegheny County

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 339, entitled:

An Act making an appropriation to the Department of Welfare for the payment of the cost of an additional steam boiler a fire alarm a fire sprinkler system and certain repairs and improvements at The Dixmont Hospital Dixmont Allegheny County

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 349, entitled:

An Act making an appropriation to the Department of Forests and Waters to be used by the Navigation Commission for the Delaware River and its Navigable Tributaries for the removal of sunken wrecks from the tideway of the Delaware River and its navigable tributaries

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 372, entitled:

An Act to amend section two hundred and twelve of the act, approved the fifth day of August, one thousand nine hundred forty-one (P. L. 752), entitled "An act regulating and improving the civil service of certain departments and agencies of the Commonwealth; vesting in the State Civil Service Commission and a Personnel Director certain powers and duties; providing for classification of positions, adoption of compensation schedules and certification of payrolls; imposing duties upon certain officers and employes of the Commonwealth; authorizing service to other State departments or agencies and political subdivisions of the Commonwealth in matters relating to civil service; defining certain crimes and misdemeanors; imposing penalties; making certain appropriations, and repealing certain acts and parts thereof," by providing for the support of the commission on a revolving fund basis and appropriating moneys for this purpose

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 374, entitled:

An Act to amend section nine of the act, approved the thirteenth day of April, one thousand nine hundred and forty-two (P. L. 37), entitled "An act relating to air raid precautions, including blackouts; conferring certain powers and duties upon the State Council of Defense, local and district Councils of Defense, political sub-divisions, members of certain municipal and volunteer agencies and civilians necessary for the safety, defense and protection of civilians and property in the Commonwealth; providing for the mobilization, coordination and use of certain municipal agencies and volunteer agencies including their personnel and equipment; providing for immunity from liability for injury or death to persons or damage to property under certain circumstances, and providing penalties," by providing for the payment of fines recovered under said section to municipalities and townships

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 378, entitled:

An Act making an appropriation to the Department of Forests and Waters for use by the Water and Power Resources Board in making necessary repairs to the Pymatuning Swamp project, and for the purpose of making further survey in connection therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 412, entitled:

An Act authorizing the Department of Property and Supplies, with the approval of the Governor and the Board of Trustees of the Farview State Hospital, to acquire a certain tract of land for the use of said hospital, and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 499, entitled:

An Act making an appropriation to the Department of Health for use in demonstration work dealing with the improvement of nutritional status of industrial workers and other civilians

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 554, entitled:

An Act to amend sections two five seven ten eleven twelve fifteen seventeen nineteen twenty-one twenty-two twenty-six and thirty-one and to repeal sections nine twenty-four and thirty-six of the act approved the sixth day of August one thousand nine hundred forty-one (P. L. 861) entitled "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth establishing the 'Pennsylvania Board of Parole' conferring and defining its jurisdiction duties powers and functions including the supervision of persons placed upon probation in certain designated cases providing for the method of appointment of its members regulating the appointment removal and discharge of its officers clerks and employes dividing the Commonwealth into administrative districts for purposes of parole fixing the salaries of members of the board and of certain other officers and employes thereof making violations of certain provisions of this act misdemeanors providing penalties therefor and for other cognate purposes and making an appropriation" by reducing the membership of said board further conferring revising and defining its jurisdiction duties powers and functions changing the appointment removal and discharge of certain officers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 571, entitled·

An Act to further amend sections twenty-six and thirty-five of the act, approved the eleventh day of May, one thousand nine hundred twenty-one (P. L. 522), entitled as amended "An act relating to dogs, and the protection of live stock, poultry, and game birds raised in captivity from damage by dogs; providing for the licensing of dogs by the Secretary of Agriculture; providing for the enumeration of dogs by assessors; regulating the keeping of dogs, and authorizing their destruction in certain cases providing for the protection of licensed dogs, and for dogs temporarily imported for trial, show, and breeding purposes; prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners; providing for the assessment of damages done to live stock, poultry, and game birds by dogs, and for live stock killed by, or dying from, rabies and for the illegal killing of licensed dogs, payment of such damages by the Commonwealth; imposing powers and duties on certain State, county, city, borough, town, and township officers and employes, directing the payment of all moneys collected into the State Treasury; and providing penalties," providing for payment by the Commonwealth for the Pasteur treatment against rabies; and fixing the Commonwealth's liability for enforcement of said act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 582, entitled:

An Act making an appropriation to the Department of Forests and Waters for the permanent improvement and maintenance of the Delaware division of the Pennsylvania Canal

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 583, entitled:

An Act to further amend section fourteen of article four and section one of article five of the act, approved the ninth day of June, one thousand nine hundred eleven (P. L. 756), entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania, and for the protection and preservation of property connected therewith," further regulating lamps to be carried by shot-firers and fire bosses

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 609, entitled:

An Act relating to the release, reduction or limitation of powers of appointment

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 625, entitled:

An Act to amend section one of the act approved the sixth day of May one thousand nine hundred twenty-seven (P. L. 843) entitled "An act authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads wholly upon the lands of State institutions and State parks and providing for the payment of the cost thereof" by authorizing the Department of Highways with the approval of the Governor to build rebuild construct and maintain roads bridges and viaducts wholly on State Armory properties and State Military Reservations and on the grounds of the Soldier's and Sailors' Home of Erie Pennsylvania and the Pennsylvania State College.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 678, entitled:

An Act to further amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by further regulating the procedure and the jurisdiction of the Board of Finance and Revenue relative to certain claims for refund; clarifying certain provisions relating to extensions of time for filing tax reports or returns; eliminating the provisions imposing interest on tax and bonus at any greater rate than six per centum per annum; changing and restricting the right of the Commonwealth to impose interest on certain unpaid taxes and bonus when such taxes and bonus are not settled within a prescribed period of time; providing for the automatic adjustment of interest liability so as to correspond to certain changes in tax or bonus liability; and further regulating the procedure for filing petitions for resettlement, petitions for review, appeals to court and the security accompanying such appeals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 767, entitled:

An Act to amend section five hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers, providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporatd towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," changing the provisions of said act relating to registration plates and the issuance thereof by the department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 771, entitled:

An Act to amend section three hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailors and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," changing the provisions of said act relating to registration plates and the issuance thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 780, entitled:

An Act to amend the definition of "Trailer" in section one hundred two of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act;

conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds." providing that a wagon or truck drawn by a tractor for the transportation of agricultural products of the owner, shall be exempt from registration fees.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 789, entitled:

An Act to amend the definition of "Trailer" in section one hundred two, as amended, of the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," providing that in certain cases where wagons and agricultural machinery are used for hauling the products of the owner, no registration fees shall be required therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 797, entitled:

An Act to amend section two of article five of the act, approved the second day of June, one thousand eight hundred ninety-one (P. L. 176) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith," by providing that certain low pressure boilers used for heating purposes only, shall be exempt from the requirements of said section which prohibits the installation of boilers within one hundred feet of structures in which persons are employed in the preparation of anthracite coal.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 836, entitled:

An Act to amend the title and sections four, six, seven and eight of the act approved the nineteenth day o March, one thousand nine hundred forty-one (P. L. 6 entitled "An act relating to national and State defense providing for the establishment of a State Council of Defense and of local and district councils of defense, prescribing the powers and duties thereof, and making an appropriation therefor," by conferring certain powers and duties upon the State Council of Defense, local and district councils of defense; eliminating certain provisions no longer in effect; and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 844, entitled:

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the adiminstrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant-Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by providing that under war time conditions the Department of Property and Supplies may make certain purchases and may authorize any department board or commission to make certain purchases without advertising or competitive bidding further providing as to the supervision of the Department of Property and Supplies over the construction and alteration of buildings and over the plans and specifications therefor relieving the Department of Property and Supplies from the duty of supervising the operation of mechanical and electrical equipment used in connection with the operation of State institutions or other State buildings and authorizing departments boards and commissions to make certain purchases of repair parts to contract for public utility services to rent machinery and equipment to employ labor on a temporary basis under certain conditions to subscribe to certain publications and to take memberships in certain organizations and societies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 849, entitled:

An Act relating to child care centers; conferring certain powers and duties upon the State Council of Defense, local and district councils of defense and political subdivisions; providing for the adoption of rules and regulations for the maintenance, operation and conduct thereof; authorizing appropriations by political subdivisions and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of House Bill No. 895, entitled:

An Act to further reenact and amend the title and the act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled as amended "An act relating to the grading and sale of grapes and potatoes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" by extending the provisions to apples and peaches and permitting the grading classifying and packing of grapes potatoes apples and peaches other than those packed or repacked within this State.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of House Bill No. 917, entitled:

An Act to promote interstate cooperation for the use, conservation; protection and equitable diversion of the water resources of the Delaware River Basin between and among the States of Pennsylvania, New York and New Jersey, for the purpose of meeting prospective needs for domestic and municipal water supply; regulating and limiting the use of the waters of the Delaware River and its tributaries and prescribing rules and standards; requiring permits from and providing for hearings by, the Water and Power Resources Board and for appeals from its decisions; vesting power in the Water and Power Resources Board to vary or modify the rules and standards under certain conditions and to adopt rules and regulations, and further defining its powers and duties; requiring notice to the States of New York and New Jersey of all applications for water diversion; providing for the filing of stipulations by the Attorney General with the United States Supreme Court and obtaining its approval of water diversions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to orders,
The Senate proceeded to the first reading and consideration of House Bill No. 993, entitled:

An Act to amend clause (g) of section two hundred four of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporation which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," by providing that the exemption from local taxation afforded to certain public property shall not extend to property, otherwise taxable which is owned or held by an agency of the Government of the United States.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. DEITRICK. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

Mr. DEITRICK, from the Committee on Public Health reported as amended, Senate Bill No. 371, entitled:

An Act to further amend Section three of an act, approved the thirteenth day of May, one thousand nine hundred and twenty-seven (P. L. 988), entitled "An act providing for and regulating the state registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," providing for emergency registration of nurses to meet the present war emergency and a period thereafter.

BILL READ FOR FIRST TIME

Mr. DEITRICK. Mr. President, I ask that this bill be now read for the first time. Yesterday this bill was supposed to be reported out from the Committee on Public Health and through my mistake it was not done so.

The PRESIDENT PRO TEMPORE. Is there objection? The Chair hears none.

BILL ON FIRST READING

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 371, entitled:

An Act to further amend Section three of an act, approved the thirteenth day of May, one thousand nine hundred and twenty-seven (P. L. 988), entitled "An act providing for and regulating the state registration of nurses and licensed attendants, the annual recording of registration certificates; and regulating the profession of nursing; and repealing certain existing laws," providing for emergency registration of nurses to meet the present war emergency and a period thereafter.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

SENATE BILL No. 473, PRINTER'S No. 253, CALLED UP

Mr. BECKER. Mr. President, on page 15 of today's Calendar I now call up Senate Bill No. 473, Printer's No. 253. On behalf of the co-sponsor of the bill, with me, the gentleman from Westmoreland, Senator Dent, we desire to offer amendments.

BILL ON SECOND READING

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 473, entitled:

An Act to further amend section four five and nine of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled as amended "An act providing for the incorporation as bodies corporate and politic of 'Authorities' for municipalities counties and townships defining the same prescribing the rights powers and duties of such authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by limiting the power of an Authority to acquire the title to projects subject to the jurisdiction of the Pennsylvania Public Utility Commission authorizing an appeal to the court of common pleas from such action on the part of the Authority; and providing that Authority bonds shall be sold only at public sale after public notice by advertisement.

The first section was read.
On the question,
Will the Senate agree to the section?

Messrs. BECKER and DENT offered the following amendments: Amend page 6, section 1, line 20, by strikout with fold face brackets, after the word "Commission", the following: "[except in accordance]"; amend page 6, section 1, line 21, by striking out with bold face brackets, the following: "[with the following procedure]"; and inserting in lieu thereof, the following: "without approval of the Commission evidenced by its certificate of public convenience first had and obtained in accordance with the procedure and investigations as to value as outlined in section two hundred three of the Act approved the 28th day of May, one thousand nine hundred thirty-seven (P. L. 1053), known as the "Public Utility Law"; amend page 6, section 1, line 23, by inserting after the word "municipality" and before the word "by", the words: "or municipalities"; amend page 6, section 1, line 25, by inserting after the word "municipality" and before the word "which", the words: "or municipalities"; amend page 7, section 1, by striking out lines 1 to 28 inclusive, with bold face brackets; amend page 8, section 1, by striking out lines 1 to 9 inclusive, with bold face brackets.

They were agreed to.

The section was agreed to as amended.

The second section was read.

On the question,

Will the Senate agree to the section?

Messrs. BECKER and DENT offered the following amendments: Amend page 11, section 2, line 17, by striking out, after the word "bonds", with bold face brackets, the following: "[[may] shall be sold only at public []"; and inserting in lieu thereof, the following: "may be sold at public"; amend page 11, section 2, line 18, by striking out, with bold face brackets, after the word "private" and before the word "sale", the bracket: "[]];" amend page 11, section 2, line 18, by striking out with bold face brackets, after the word "sale" and before the word "for", the bracket: "[[]"; amend page 11, section 2, line 21, by striking out with bold face brackets, after the word "annum", the following: "[] to the highest]"; amend page 11, section 2, by striking out with bold face brackets, lines 22 to 29 inclusive; amend page 12, section 2, by striking out with bold face brackets, lines 1 to 22 inclusive.

They were agreed to.

The section was agreed to as amended.

The third and fourth sections were separately read and agreed to.

The title was read.

On the question,

Will the Senate agree to the title?

Messrs. BECKER and DENT offered the following amendments: amend page 2, line 5 of the title by striking out after the word "Commission" and before the word "by", with bold face brackets, the bracket: "[[]"; amend page 2, line 6 of the title by striking out after the word "Commission", with bold face brackets, the following: "[and by] authorizing an]"; amend page 2, of the title by striking out, with bold face brackets, lines 7, 8, 9, and 10, inclusive.

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

BILL SIGNED

The PRESIDENT PRO TEMPORE (Charles H. Ealy) announced that the Chief Clerk having reported that the following bill had passed both Houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 174, entitled:

An Act to further amend section one thousand one hundred thirty-three of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," making further provision for the creation of the office of district superintendent in districts where such office does not exist.

Whereupon,

The PRESIDENT PRO TEMPORE (Charles H. Ealy) in the presence of the Senate signed the same.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced presented for concurrence bills of the House, as follows:

House Bill No. 668, entitled:

An Act to further amend the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 289), entitled "Non-profit Corporation Law," by authorizing nonprofit medical service corporations to provide limited medical service to subscribers of over-income.

Which was committed to the Committee on Public Health.

House Bill No. 669, entitled:

An Act to amend sections three, four, nine, and nineteen of the act, approved the twenty-seventh day of June, one thousand nine hundred and thirty-nine (P. L. 1125), entitled "Nonprofit Medical Service Corporation Act," by authorizing nonprofit medical service corporations to provide limited medical service benefits to subscribers of over-income.

Which was committed to the Committee on Public Health.

ADJOURNMENT

Mr. HEYBURN. Mr. President, I move that the Senate do now adjourn until Monday, April 26, 1943, at 4:00 o'clock p. m. Eastern War time.

Mr. HOLLAND. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 4:41 o'clock p. m. Eastern War Time until Monday, April 26, 1943, at 4:00 o'clock p. m. Eastern War Time.

HOUSE OF REPRESENTATIVES

THURSDAY, April 22, 1943

The House met at 1 p. m.
The SPEAKER (Ira T. Fiss) in the Chair.

PRAYER

The Rev. Walter E. Deibler, Pastor of United Brethern Church in Christ, Highspire, a former Chaplain of this House and a guest of the Chaplain, offered the following prayer:

Eternal and All Wise God; Creator of Heaven and Earth. We confess our faith in Thee anew this day and thank Thee for Thy grace so abundantly manifested unto the children of men. Truly Thou hast not dealt with us after our sins nor rewarded us according to our iniquities. Thou hast sent the sunshine and the rain upon the just and unjust alike. We are not unmindful of Thy blessings unto our fathers who sacrificed and toiled, and, with faith in God have given us this great nation. In this hour of great crisis we again consciously realize our need of divine help. Without Thy help our cause will fail. O God, give, we beseech Thee, Thy blessing to our Land and Nation. Give wisdom and understanding to all in authority. Reveal thru Thy eternal providences of Divine knowledge what should be done and when to do it. Give to the men and the women of the armed forces Thy blessing. Strengthen them in the hour of battle. Arm them with courage and the fortitude of Thy presence. Bless their parents and loved ones. God speed the day when victory may come to our side and wars may end.

Give Thy blessing to the Chief Executive of this Commonwealth; to this House, its Speaker and Members. Rule and overrule in its deliberations and decisions so that whatever legislation is passed may be for the greatest good to the greatest number.

May the blessings of the Easter season and the victorious resurrection of Jesus Christ empower Thy people everywhere. Make this truly the land of the free and the home of the brave. Through Jesus Christ our Lord. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Wednesday, April 21, 1943.

The Clerk proceeded to read the Journal of Wednesday, April 21, 1943, when on motion of Mr. SCHUSTER, unanimously agreed to, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 354.

An Act to further amend clause (d) of section four of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 452) entitled as amended "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve equip furnish and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" empowering the General State Authority to sell and convey projects and property to the Commonwealth and to sell and convey the Butler Tuberculosis Sanitorium to the United States or any Federal agency.

Referred to the Committee on State Government.

SENATE BILL No. 403.

An Act to further amend section three hundred and eight of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2017) entitled "An act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor disstricts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws" providing for the issuance of bonds in accordance with the "Municipal Borrowing Law" changing the conditions for borrowing money for current expenses.

Referred to the Committee on Welfare.

SENATE BILL No. 427.

An Act to amend Sections 2501 2504 2505 and 2506 of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" providing for the payment of sewer assessments in monthly or quarterly installment regulating the filing of liens therefor and authorizing the filing of such liens after the time fixed by law shall have expired.

Referred to the Committee on Townships.

SENATE BILL No. 532.

An Act to further amend the last paragraph of section five of the act approved the twelfth day of May one thousand nine hundred eleven (P. L. 295) entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water-rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and the collector of delinquent taxes and repealing certain acts relating to matters herein provided for" requiring the board of water assessors to furnish information to departments of the city government.

Referred to the Committee on Cities-Second Class.

SENATE BILL No. 565.

An Act to amend section one of the act approved the sixteenth day of May one thousand nine hundred thirty-nine (P. L. 139) entitled "An act authorizing counties cities boroughs townships of the first and second class and school districts to issue and sell bonds for certain purposes and for a certain period of time providing for a trust fund and a sinking fund for the payment thereof and defining the duties of the officers and governing bodies of the said municipalities or quasi municipalities in relation to said funds and fixing a penalty for the violation thereof" extending the provisions thereof to meet increased operating expenses during the war emergency.

Referred to the Committee on Municipal Corporations.

PERMISSION TO ADDRESS HOUSE

Mr. AUKER asked and obtained unanimous consent to address the House.

Mr. Speaker, on Monday evening, very late during my temporary absence from the House a bill known as the districting bill was passed. I had at that time wanted to say a few words on behalf of that particular bill and the organizations that were sponsoring it. For the benefit of those people and the Members of the House at this time I would like to read into the record the following with reference to that particular bill.

Mr. Speaker, thank goodness for newspapers and the high duty they perform in conducting their surveys. About two weeks ago the New York Times, Sunday issue, published the results of their questionnaire survey pertaining to the knowledge of American history as held by College freshmen. This survey showed an astonishing and alarming lack of the knowledge and pertinent facts of American and United States history by college freshmen. It was so shocking that various United States Senators commented on the same in the United States Senate, and a resolution was sponsored by Senator Guffey of Pennsylvania, asking for an investigation of the facts as revealed by the New York Times survey.

This bill is not my personal bill. It is an American Legion, Department of Pennsylvania, bill. At the Pittsburgh Convention of the American Legion held in August 1942, the said convention by a resolution, passed by a unanimous vote of the convention delegates, representing all the Legion posts of Pennsylvania and as good a cross section of public opinion in Pennsylvania as one could possibly get, resolved that the Pennsylvania Legislature should pass a law making it mandatory that American history should be taught in the public schools of our State and also in all State aided institutions of higher learning. This bill is the result of that mandate. I am taking no individual credit for same, but am merely acting as the instrumentality of the American Legion and of the other State recognized veteran bodies, The Spanish American war veterans, the Veterans of Foreign wars, and the disabled American war veterans, in sponsoring this bill.

In preparing the bill the suggestions of Charles Sohl, Americanism Chairman of the American Legion, Department of Pennsylvania, were in a large measure carried out in this bill. The deep thanks of myself and the other veteran bodies are due to Dr. Charles Sohl for his contribution on this bill.

The veteran bodies believe this bill to be an excellent piece of legislation and a very sincere and progressive step forward to teach our school children the great principles, doctrines and tenets of the United States form of Government, the background of the formation of our Republican Representative form of government, the advantages of our form of government over every other existing form of government, the high standard of our American life and the great social, religious economic, and political blessings which are inherent and are existing in the United States Republican Representative form of government. This bill provides for a positive teaching of American history, rather than a negative teaching of American history as is contained in so many of the so called social science text books, which have lately been so prevalent in the public school of our Nation and which, thank God, through the efforts of the American Legion and other allied veteran and patriotic organizations of our State and Country, are gradually being discarded and thrown out of our public school systems.

On behalf of the American Legion and the other veteran bodies, I wish to thank the Department of Education of Pennsylvania, the Educational Committee of this House and you, my fellow colleagues, for your work and support of this bill and the backing that you are giving the veteran bodies of this State in forward looking progressive and helpful legislation of this kind. I would like to remind the House that had our Federal Government listened and followed the advice and counsel of the American Legion in regard to an adequate national defense and a preparedness program, which they have advocated over the last twenty years, that this country would not have been caught with our pants down when Japan delivered its treacherous attack. I am glad to see therefore, that the counsel, advice and thought of the American Legion is being followed by our Pennsylvania Legislature in seeking to develop a deep sense and love of country and its Republican Representative form of government in our children, and to correct the deficiency that is now established beyond the fact to be existing among our public school and college students in this State and Nation.

We believe the United States to be the best Nation on earth, socially, economically, religious and especially political. We believe that this Nation, under God, has a destiny to fulfill in the divine plan of the world and we further believe that this Nation can only fulfill that destiny by inculcating in our citizens, in our children and in our children's children the great principles and the background thereon which, under God, gave rise and gave birth to the formation of these United States of America and that if we are to fulfill that destiny we must ever keep alive in the hearts of our people, that the price of liberty is eternal vigilance and that we must ever uphold to all the peoples of the world, and especially the afflicted ones and the refugees of foreign political tyranny, that this Nation can be and will be their home as long as they respect our fundamental laws, our bills of rights and our hospitality, and shall not under cover of the protection of the Constitution of our State and Nation and the bill of rights thereto, seek to undermine, abuse and overthrow the home to which they have come for refuge, peace, contentment and security, politically, socially, economically and religiously, to live out their lives and rear their families in contentment and peace.

PERMISSION TO ADDRESS HOUSE

Mr. BENTLEY asked and obtained unanimous consent to address the House.

Mr. Speaker, several weeks ago the gentleman from Allegheny, Mr. Hannon, in opposing a tax bill which I had offered concerning the city of Pittsburgh, opposed the bill on the grounds that the city was run by a Democratic administration and it had been afflicted with squandermania, as he put it; he stated that they could not be trusted with tax affairs, that the financial situation of the city was such that any extension of the right to tax given to these officials was dangerous. I answered the gentleman at that time, because I was shocked and amazed at his statement. I have some knowledge of the financial condition of the city, and I can truthfully say that contrary to his charge of squandermania, the city has been run economically and efficiently. I have no doubt that many of the Members of this House have some doubts forming in their minds as to the real financial condition and as to the manner in which the second largest city of this Commonwealth is being run. Now, you are rightly concerned in those matters but the doubt, if any in your mind, should now be resolved by an editorial which appeared yesterday in the Pittsburgh Press, and with your permission I should like to read from the Wednesday, April 21, 1943 edition of the Pittsburgh Press, the following article:

FINANCIAL STATUS OF CITY IMPROVES, LEAGUE ANNOUNCES

Economy Group Cites 4 Points to Explain Why Pittsburgh Balances Budget For Three-Year Period

An appraisal of the City's financial condition over the past three years finds a constantly improving situation, the Western Pennsylvania branch of the Pennsylvania Economy League reported today.

Total revenues for the three years, 1940 to 1942, were $71,663,966. Total operating expenditures and debt services were $71,487,661, leaving a surplus of $176,305, the League pointed out, proof of a balanced budget for the three-year period.

Cite Four Main Points

"In view of the City's past record of unbalanced budgets and deficit financing, it is both an encouraging symptom and a concrete accomplishment," the League said.

"There are four main points to consider in evaluating the City's financial status today and its trends over the past three years," the League maintained, setting forth:

1. The City has operated on a pay-as-you-go program for the past three years in its current operating expenses.

2. The City has reduced its indebtedness by $7,500,000 in the three years in question. By the end of this year, it will have reduced it by $10,000,000 or more. This even surpasses the long-range pay-as-you-go program presented by the League for eventual retirement of all City debt. Its significance lies in the fact that it has sharply reversed a trend in effect since 1926.

3. Interest charges up to $500,000 a year have been saved by canceling unused bond fund balances and reducing the amount outstanding to $1,000,000. It is planned to eliminate such balances totally.

4. Floating indebtedness has been brought to its lowest point in more than a score of years, ($56,362,231).

'Lowest Point Since 1926'

Explaining that it had advocated a "budget control system" for the City beginning in 1940, the League said:

"In three years, 1940-1942, the City's funded and floating debt was reduced by $7,507,338—to a total of $56,262,231. This is the lowest point since 1926, the year when the City's building boom began.

"Much has been written on the possibility that the City may be forced to sell bonds—generally estimated at $1,000,000. So far this year, the City has sold no bonds; at the same time $4,290,000 was appropriated to the sinking fund for retirement of bonds.

Can Decrease Bonded Debt

"Should the City succeed in avoiding any bond issues during this year, the bonded debt will show a decrease of $4,290,000, or a reduction of almost $12,000,000 since Dec. 1, 1939."

[City Council has an ordinance before it now authorizing the sale of $1,500,000 in public improvement bonds pending action of Council's finance committee.]

Attributing much of the City's financial status at present to a policy of canceling bond fund residues, the League reported:

"In the past, bonds were sold long before jobs were started and money was needed. When jobs were delayed, the funds for that particular work were held in idleness in the City Treasury. When jobs cost less than the original estimate, the bond fund balances or untouched funds were carried on the books indefinitely—some for as long as 15 years.

"In 1920 when the funded debt totaled $37,000,000, about $7,000,000 was carried as bond fund balances, waiting to be spent. In 1928 it was about $14,000,000.

'Cost High Interest Toll'

"The significance of these figures lies in the fact that these unused, unproductive sums of money cost the City a staggering annual interest toll.

"The City has made large decreases in its bond fund balances in recent years and now has about $1,000,000 outstanding, for which it pays two per cent interest. It is the lowest total in 23 years."

In conclusion the Economy League's report said:

"It is not a usual policy for taxpayers, or taxpayers' organizations to throw banquets at public officials. The League, however, has maintained from its earliest days that public officials should be commended for cincere effort,. for good management and for accomplished improvements in their administration. . . .

"There are many things the League would like to see improved and many more that it is trying to improve—but as far as the City's financial situation and financial program is concerned—with both of which the League feels that it has been of some assistance—it is time to speak a word of commendation."

Mr. Speaker, I think that should be the end of "squandermania".

PERMISSION TO ADDRESS HOUSE

Mr. FLEMING asked and obtained unanimous consent to address the House.

Mr. Speaker, just before recess last evening my colleague from Allegheny, Mr. Brown, made remarks that might be misconstrued by Members of this House. He stated that on Tuesday evening I had moved to place House Bill 663 on the final passage postponed calendar and gave as one of my reasons the fact that I wished to speak on the question on Wednesday.

This was my desire on Tuesday evening, and as late as Wednesday. Certainly, however, the debate yesterday on Senate Bill 272 reached such ridiculous proportions and consumed so much of the time of the House that along with other members I became thoroughly disgusted. You will recall, however, and I want this to be known to the members of the House, that I distinctly stated when I asked that House Bill 663 be placed on the postponed calendar that I had no agreement with the other side of the House; I had in no way discussed this matter with my colleague Mr. Brown. If I left any of the Members under the impression that I had talked with any Member on the other side, I want it thoroughly understood that I did not. I said what I did on behalf of myself, but I believe that several of my colleagues over here, Mr. Hannon had some remarks he wanted to make, and I think Mr. Ewing had some remarks he wanted to make.

I want to call the attention of the House to the fact that when Senate Bill 272 was on the second reading calendar Mr. Bentley offered amendments which I vigorously opposed. When Mr. Hannon called up House Bill 663, you will recall there was considerable wrangling over his right to do so, and finally the Speaker ruled that he was in order in calling it up. Mr. Leonard, my colleague from Allegheny, spoke in opposition at some length. Mr. Hannon answered Mr. Leonard and then the previous question was moved. At that time I seconded the motion for the previous question, but only because I was thoroughly disgusted with the dilatory tactics taken by the Members on the other side with any piece of legislation which is in no way politically controversial.

PERMISSION TO ADDRESS HOUSE

Mr. LEONARD asked and obtained unanimous consent to address the House.

Mr. Speaker, I believe my colleague from Allegheny, Mr. Fleming made a motion night before last to lay over House Bill 663 because—and I can be corrected by the record—because several Republicans wanted to make long speeches on the bill, and with that understanding we went along with it.

SENATE MESSAGES

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 522.

An Act relating to post-war planning creating a Post-War Planning Commission and defining its powers and duties conferring powers and duties upon State administrative departments boards and commissions political subdivisions and other agencies and making an appropriation.

HOUSE BILL No. 595.

An Act to amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing becoming a nonresident of the State as a cause for forfeiture of rights under the police pension fund.

With the information that the Senate has passed the same without amendment.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 363.

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 2, page 4, line 8, by striking out after the word "purposes" the word "and" and inserting in lieu thereof the word "or"; also in line 10, by striking out after the word "it" the word "should" and inserting in lieu there of the word "shall'.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boles,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dalrymple,
Dague,
Denman,
Flack,
Fleming,
Flynn,
Foor,
Freed,
Fox,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
C'Neill,
Owens,
Petrosky,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Royer,
Rowley,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Watkins,
Walton.

Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 390.

An Act to further amend section three of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for the dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by providing for the issuing of free licenses for seeing-eye dogs.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by inserting after the word "three" the words "and section thirty"; also in line 11, by striking out after the word "for" the word "the"; also on page 2, by inserting at the end of the title after the word "dogs" the following: "and by increasing the amount of certain payments to be made to the Commonwealth for damage caused by dogs or rabies."

Amend bill page 5, by inserting a new section as follows:

Section 2 Section thirty of the said act as last amended by the act approved the twenty-second day of May one thousand nine hundred thirty-five (Pamphlet Laws 219) is hereby further amended to read as follows

Section 30 No payment shall be made for any item which has already been paid by the owner of the dog or dogs doing the injury The fact that no such payment has been made shall be certified by the appraiser

When any payment is made by the State for any live stock including poultry or domestic game birds injured by a dog and live stock dying from or killed because of rabies such payment shall not exceed one hundred dollars for each horse or mule sixty dollars for each head of unregistered cattle one hundred dollars for each head of registered cattle ten dollars for each head of unregistered swine sheep or goats twenty dollars for each head of registered swine sheep or goats [three] four dollars for each full-grown goose [three] four dollars for each full-grown turkey or wild turkey and one dollar and fifty cents for each head of other poultry domestic game birds or domesticated hare or rabbit and four dollars for each head of pedigreed-wingbanded or Record of Performance wingbanded poultry All appraisals under this act shall be at the actual value of the live stock including poultry or domestic game birds killed or injured.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE INSISTS ON ITS AMENDMENTS TO SENATE BILL NO. 686

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-curred in by the House of Representatives, to House Bill No. 686, entitled:

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties.

Mr. ELY. Mr. Speaker, I move that the House recede from its non-concurrence in the amendments made and insisted upon by the Senate, and concur in the Senate amendments.

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 332.

An Act to amend section one thousand two hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the refund of certain moneys erroneously paid into the State Treasury for hunting license fees by former county treasurers.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 2, line 19, by striking out after the word "treasurers" the word "during the year" and inserting in lieu thereof the word "subsequent to the thirty-first day of December"; also in line 20, by striking out after the the syllable "dred" the words "thirty-five" and inserting in lieu the words "thirty-four".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Coulson,
Costa,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W M.
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McSurdy,
McMillen,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Munley,
Muir,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,

Ewing,
Figlock,
Finnerty,
Krepps,
Krise,
Lane,
Reynolds,
Riley,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 170.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 4, page 7, line 17, by striking out after the word "Administrative" and inserting in lieu thereof the word "administrative."

Amend Section 5, page 12, line 2, by striking out after the word "the" the word "Departmen" and inserting in lieu thereof the word "Department".

Amend Section 7, page 12, by striking out all of lines 22 to 28 inclusive as follows:

Section 7 Whenever the term "State Police" or "State Highway Patrol" or "Highway Patrol" or "Pennsylvania Motor Police" occurs in any law or whenever in any law reference is made to the same such term or reference shall be deemed to refer to and include the Pennsylvania State Police so far as such law pertains to such matters which are within the jurisdiction of such body.

and inserting in lieu thereof as follows:

Section 7 (a) All books papers maps charts plans records and equipment in the possession of the Pennsylvania Motor Police or any officer or member thereof shall upon the effective date of this act be delivered and turned over to the Pennsylvania State Police.

(b) The Commissioner all officers and employes of the Pennsylvania Motor Police on the effective date of this act shall continue to perform their usual duties upon the same terms and conditions as theretofore until removed or appointed to other positions according to law Persons who upon the effective date of this act are connected with the Pennsylvania Motor Police shall retain all retirement rights that shall have accrued or would thereafter accrue to them and their services shall be deemed to have been continuous as if the name of the Pennsylvania Motor Police had not been changed to Pennsylvania State Police.

(c) All pending proceedings and all investigations begun by the Pennsylvania Motor Police or any member or officer thereof and not completed upon the effective date of this act shall continue and remain in full force as if the name of the Pennsylvania Motor Police had not been changed to Pennsylvania State Police and may be completed by the Pennsylvania State Police.

(d) Whenever the term "Pennsylvania Motor Police" or "State Police" or "State Highway Patrol" or "Highway Patrol" occurs in any law or whenever in any law reference is made to the same such term or reference shall be deemed to refer to and include the Pennsylvania State Police whose name is changed by this act from Pennsylvania Motor Police so far as such law pertains to such matters as are within the jurisdiction of such body.

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Reagan,
Readinger,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 549.

An Act to further amend sections three hundred one and three hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by authorizing the Treasury Department with the approval of the Governor to invest State deposits in short-term obligations of the United States government and to dispose of the same.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, line 23, by striking out after the word "The" the words "Treasury Department" and inserting in lieu thereof the words "Board of Finance and Revenue"; also in line 24, insert after the word "in" the word "direct"; also in line 26, by striking out after the word "Commonwealth" the words "including moneys not belonging to the Commonwealth but of which the Treasury Department or the State Treasurer is custodian," and inserting in lieu thereof the words "with the exception of moneys in any fund authorized by law to be invested by any other board commission or State officer; also on page 5, line 1, by striking out after the word "shall" the following: "be deemed necessary to keep the amounts of such moneys on deposit in the various State depositories within the limitations prescribed by or under the provisions of this act," and inserting in lieu thereof the following: "The Board of Finance and Revenue with the Governor's approval shall from time to time as necessary sell such short term obligations and credit the proceeds to the funds out of which the purchases were made."

Amend Section 2, page 5, line 25, by striking out after the word "purchased" the words "by it"; also on page 6, line 1, by striking out after the word "funds" the following: "with the approval of the Governor to sell or surrender such obligations for redemption and credit the proceeds thereof thereof to the proper funds and"; also in line 14, by inserting after the word "advisable" the following: "The Treasury Department is also authorized to make settlement for to take delivery of and to have held for the account of the funds out of which purchased any of the short term obligations of the United States Government which may be purchased under the terms of this act at the Federal Reserve Bank of Philadelphia or the Pittsburgh branch of the Federal Reserve Bank of Cleveland".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows:

YEAS—201

Alspach,
Auker,
Baker,
Barrett,
Barton,
Bentzel,
Bentley,
Boies,
Bonawitz,
Boorse,
Boory,
Bower,
Boyd,
Bradley,
Bretherick,
Brice,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Burns,
Cadwalader,
Calvin,
Campbell,
Chervenak,
Chudoff,
Cohen,
Coleman,
Cook,
Cooper,
Cordier,
Corrigan,
Costa,
Coulson,
Croop,
Cullen,
Dague,
Dalrymple,
Denman,
Dennison,
Depuy,
Dillon,
Dix,
Duffy,
Elder,
Elliott,
Ely,
Erb,
Ewing,
Figlock,
Finnerty,
Flack,
Fleming,
Flynn,
Foor,
Fox,
Freed,
Fullerton,
Garber,
Gardner,
Gates,
Gillan,
Goodling,
Goodwin,
Gorman,
Grant,
Green,
Greenwood,
Gross,
Gyger,
Haberlen,
Hall,
Hamilton,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hewitt,
Hocke,
Hoffman,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Imbrie,
Irvin,
James,
Jones,
Kennedy,
Kirley,
Kitchen,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Levy,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Lyons,
Madigan,
Mahany,
Maxwell,
McAtee,
McClester,
McKinney,
McMillen,
McSurdy,
Menna,
Mihm,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Munley,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
O'Neill,
Owens,
Petrosky,
Pettit,
Polaski,
Powers,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Regan,
Reilly,
Reynolds,
Riley,
Robertson,
Root,
Rose, S.,
Rose, W. E.,
Rowley,
Royer,
Salus,
Sarge,
Sarraf,
Scanlon,
Schuster,
Serrill,
Simons,
Skale,
Smith,
Snider,
Sollenberger,
Sorg,
Stank,
Stockham,
Stonier,
Swope,
Tahl,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Watkins,
Weiss,
Welsh,
Winner,
Wood, L. H.,
Wood, N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 135.

An Act to amend section seven hundred sixteen of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" authorizing the sale and purchase of hides of lawfully killed deer under certain circumstances

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, last line, by inserting after the word "circumstances" the following: "and making it unlawful to buy or sell raccoons for propagating purposes."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. LICHTENWALTER. Mr. Speaker, I move that the House non-concur in the amendments inserted by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

MEMBER CONGRATULATED

The SPEAKER. The Chair at this time has a very pleasant duty to perform which he was unable to do at yesterday's session. The Chair is informed that yesterday was the birthday of the gentleman from Lebanon, Mr. Sarge. Shall we sing "Happy Birthday to You."

("Happy Birthday to You" was sung by the Members of the House.)

The SPEAKER. When the gentleman rises and tells us how old he really is, the Chair has a further pleasant duty to perform.

The Chair recognizes the gentleman from Lebanon, Mr. Sarge.

Mr. COHEN. Will the gentleman yield for a moment?

Mr. SARGE. I will yield, Mr. Speaker.

Mr. COHEN. I would like to remind the gentleman in the statement he is about to make to look again upon the motto on the ceiling of this House,

> Ye shall know the truth, and the truth shall make you free.

I ask the gentleman to divorce himself from his home county, and when he makes his statement, please no baloney.

Mr. SARGE. Mr. Speaker, I find that my vocabulary is entirely too limited to begin to express even in an infinitesimal degree the pleasure that I have in announcing that I have arrived at approximately the fortieth birthday. I want to say that my birthday was yesterday, and when I got home an hour and a half late for the nice birthday dinner my wife had prepared, and the guests were assembled, she asked the reason for my lateness. I said of course that it was due to the filibuster, so that this recognition is a little late.

It reminds me of a little girl eight years of age with her brother of twelve. In honor of his birthday she took him to the movies. She laid down a quarter and asked for two tickets at the window. The clerk asked how old he was, and she said "He's twelve, but he was born late in the afternoon."

Gentlemen, I certainly appreciate this recognition of my birthday.

The SPEAKER. Since the gentleman has told us how old he is, the Chair would request the gentleman to come to the rostrum where we have a very unusual gift to present.

The Chair is unable to say whether there are any real live chicks contained herein, or whether it is Lebanon baloney after all, but at least it is a great pleasure to present this gift to the Sarges of Lebanon. This cake was baked forty years ago, the same as the gentleman's story about the number of years of his age. Does anybody have a knife?

Mr. SARGE. It is a very nice cake, and I believe it is covered with filibuster icing.

CONGRATULATORY RESOLUTION

Messrs. ALSPACH, NORMAN WOOD and ROYER offered a privileged resolution which was twice read, considered and unanimously adopted as follows:

In the House of Representatives, April 22, 1943.

The Department of Journalism of the Pennsylvania State College and the Pennsylvania Newspaper Publishers' Association yesterday conferred an unusual honor upon one of the Members of this House at a luncheon held at the Waldorf Astoria in New York.

Professor Franklin Banner, head of the Department of Journalism at State College presented to the Honorable Harry E. Trout from Lancaster County a parchment scroll for his outstanding achievements in journalism.

To those members who know our member from Lancaster County only as a statesman of rare ability, the news of this recognition of his journalistic achievements came as a surprise.

In presenting the scroll to Mr. Trout for his "long and meritorious service in the profession of journalism," Professor Banner stated that the award was made:

"Because you are the publisher of a paper that has long been recognized as a friend and helpmate to every worth while interest and institution in the community . . .

"Because with your experience in teaching, in some 30 years of publishing, and in the State Legislature, you have brought good judgment, tempered with sympathy and understanding, to play in dealing with local problems . . .

"Because you have personally gained the deep respect and regard of your fellow publishers . . .

"Because you have developed a family paper, clean in its morals, kindly and tolerant in its approach toward its readers . . ."

On September 28, 1939, Mr. Trout celebrated the end of his first quarter century as the Editor of the Manheim Sentinel during which time he has made the "Sentinel" a part of the family life in Lancaster County, and has brought credit and distinction to his home town; therefore be it

Resolved, That we the Members of this House, rejoice with our fellow member in the honor that has come to him in this public recognition of the beneficial results of his labor, and we congratulate him upon the place he has won for himself in American Journalism; and be it further

Resolved, That as lasting evidence of our recognition of the honor that has been bestowed upon him, we direct the Chief Clerk of the House to furnish the Honorable Harry E. Trout with a copy if this resolution.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Trout.

Mr. TROUT. Mr. Speaker, the last few days and again this morning I am wondering whether I am still living in the same atmospheric conditions that I had previously or whether I was one of those Major Hoople men that we see in the cartoons. I certainly appreciate the contents of the Resolution and the honor that was conferred upon me yesterday in New York. I hope that I may be worthy of the beautiful sentiments that are expressed in the resolution and on the scroll that was presented in New York yesterday.

I have lived quite a few years, a little bit more than the gentleman from Lebanon, Mr. Sarge, said this morning. I appreciate the friendship and the good fellowship that I have enjoyed as a member of the newespaper fraternity for thirty years. It so happens that I was one of the charter members of the Pennsylvania Newspaper Publishers' Association when it consisted of weekly papers only. Later on the daily papers became interested in the organization, and they took the weekly papers with them, and it has been a great pleasure for me to meet the newspaper men from Pennsylvania and all over the country.

As a member of the Legislature for years I have enjoyed being here. I have enjoyed the friendships that I have made, the associations it has afforded me. I have learned in these years that there is nothing that is so important, there is nothing that is so valuable to the individual as friendship. I think it is far better to give a man a slap on the back than a slap in the face, and it is upon that principle that I have attempted to conduct my paper. Mr. Speaker, I can't tell you how much I appreciate this resolution.

RESIGNATION FROM COMMITTEE

Mr. BENTZEL. Mr. Speaker, I wish to be excused from the committee of five appointed to investigate the expenditure by William A. Shaw of the appropriation authorized in 1941 in this House.

The SPEAKER. The gentleman from York, Mr. Bentzel asks to be excused from serving on the select committee of five to investigate the expenditure by William A. Shaw of an appropriation for a sewing project. If there is no objection the gentleman will be excused. The Chair hears none and appoints in place of Mr. Bentzel the gentleman from Westmoreland Mr. Weiss.

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 522.

An Act relating to post-war planning creating a Post-War Planning Commission and defining its powers and duties conferring powers and duties upon State administrative departments boards and commissions political subdivisions and other agencies and making an appropriation.

HOUSE BILL No. 595.

An Act to amend section four thousand three hundred four of the act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" removing becoming a nonresident of the State as a cause for forfeiture of rights under the police pension fund.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

QUESTION OF INFORMATION

Mr. SKALE. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. SKALE. The Speaker, do I understand that you are now accepting resolutions?

The SPEAKER. The Chair is very reluctant to go on to resolutions before our calendar has been disposed of.

Mr. SKALE. We have no calendars on the desks, Mr. Speaker.

The SPEAKER. The Chair will accept resolutions if there are no objections. The Chair hears none.

QUESTION OF INFORMATION

Mr. SKALE. Mr. Speaker, I rise to a further question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. SKALE. Would it be in order for me, presenting the resolution to preface it by some remarks?

The SPEAKER. Will the House give its unanimous consent? The Chair hears no objections. The gentleman will proceed.

Mr. SKALE. Mr. Speaker, on March 2, 1942, I introduced a resolution in this House setting up a joint legislative committee consisting of three members of each House, who shall meet with the directors of the Harrisburg Red Cross Blood Bank and arrange for giving to it blood by Members of the General Assembly and the employes of the Commonwealth of Pennsylvania. It has already been shown that one of the modern medical miracles of this war has been saving many lives of our soldiers and sailors by the transfusion of blood plasma in seriously wounded men on the fighting front. Naturally this blood plasma was donated by patriotic Americans on the home front but in spite of repeated appeals there is now a shortage of blood donors.

Mindful of that fact and with a view only of doing whatever is possible to help the war effort, I had prepared and introduced on March 2 a resolution setting up the joint legislative committee. This resolution bears the No. 28, Serial No. 43, and was referred to the committee on Rules on the same day, March 2, 1943. In this committee the resolution found a safe resting place, in a dark pigeonhole where it is slowly accumulating dust. I have heard it said that the reason this resolution, worthy as it may be, will not be reported out of this committee, is because a Democrat sponsored it. If this be true, gentlemen, then I would charge the leaders of the Republican Party with playing politics with the lives of our soldiers and sailors as a stake.

I know of my own knowledge that many of the Members of this House have already donated blood voluntarily. My criticism is not against you men, but my criticism is against the leaders of your party who have given orders that this resolution shall remain in committee instead of bringing it out so that it can accomplish the worthy purpose that it is intended for.

On March 31, 1943 I addressed a letter to the Chairman of the Rules Committee, the Majority Leader of this House, the Honorable Franklin H. Lichtenwalter, and I notified him that on March 2nd this resolution was referred to his Committee, and I asked him to please present the resolution before the Committee for action. To date I have not heard whether the Committee ever acted on that resolution. I say to you gentlemen that even though many of us have already donated blood to the Red Cross Blood Bank, it is not sufficient. There are approximately in and around the city of Harrisburg fourteen thousand state employees representing a powerful reservoir of blood donors. To date, however, I am informed by a letter from the American Red Cross in Harrisburg—this letter was dated March 31, 1943, that only eleven hundred twenty-three persons from the Capitol have volunteered their blood. Now, gentlemen, I submit to you that that is a very low percentage of blood donors. I realize also that some may not be accepted, either by reason of age or physical disability, but how about the thousands of others who are acceptable and do not realize the importance of their blood donations, and the need for blood plasma cannot be too strongly emphasized. Colonel Case recently stated in Philadelphia where he made an appeal for blood donors that his regiment on Guadalcanal had only ten percent of casualties in his first month of fighting and only three percent killed, because he said the use of blood plasma was the most important of five major factors in saving the lives of American men there. Our men are also fighting in New Guinea and in North Africa and it is certain that in the near future there will also be fighting on other fronts more greatly expanded, which naturally will result in greater casualties. We must do everything possible to save those boys who are fighting for us. Every little bit we do back home means a lot to the boys on the front line. There are men in this chamber who have sons on the battlefield. There isn't one in this House who hasn't a near one and a dear one in uniform fighting for us. Who knows but what one of those boys may receive a serious wound and require a transfusion of blood plasma? Gentlemen, I submit to you that this complacency has gone far enough. It is time that we do something in a real effort to help the boys on the battlefronts. The Governor of Pennsylvania has asked for a wartime Session of win-the-war legislation, and of all the bills thus far signed by the Governor, not one attacks the problem of win-the-war legislation as this resolution does.

If the leaders of the Republican party are sincere in their efforts they will give the orders to report this resolution out of committee. Gentlemen, today by your actions you shall be judged. Let us pretend that we are out there at Guadalcanal or in New Guinea. It isn't easy, because we don't have any idea what it is like there, but we are watching the fight, the shell fire and the bombs, the blasting and the dying. One of the boys falls, almost before us. A nurse rushes up to you. That boy needs blood, your blood. With it he has a chance to live, without it none. Would you hesitate? Of course not. Genelemen, that boy over in Tunisia, in Guadalcanal, in New Guinea, wherever Americans are fighting, he is waiting for your help. As the President put it, we can, we will, we must. Gentlemen, I appeal to you, let us put aside politics; we must realize the dangers confronting us and the lives of our fighting men. We must disregard orders of politicians who think in terms of votes rather than the lives of our soldiers.

If this resolution stays pickled in committee, then I submit to you gentlemen that many lives of our soldiers and sailors will be lost through the lack of blood plasma.

RESOLUTION

MOTION TO DISCHARGE COMMITTEE ON RULES

Mr. SKALE offered a resolution which was read by the Clerk as follows:

In the House of Representatives, April 22, 1943.

Resolved, That the Committee on Rules be discharged from further consideration of Resolution No. 28 (Serial No. 43), said resolution having been in the hands of said committee more than ten days.

On the question,

Will the House adopt the resolution?

Mr. LICHTENWALTER. Mr. Speaker, the gentleman from Philadelphia has accused me as Chairman of the Rules committee of not having given him the proper satisfaction regarding House Resolution 28. I want to assure the membership of this House and the sponsor of this resolution, as he well knows, that this resolution was given very serious thought and consideration. I talked to the gentleman, I answered his questions frankly and directly on this resolution when he came to me a few weeks ago and spoke to me about having it brought upon the floor of the House.

I would like to state to the entire membership the reasons that were set forth in my talk to him at that time and the reasons why we felt that this resolution should not be brought upon the floor of the House. Might I first say that this resolution as I read it is of a compulsory nature, and there are certain men in this House who might be definitely embarrassed because they cannot comply with the Red Cross regulations. I am told that men over sixty years of age cannot qualify to give blood. Those that have had an operation within the past year are not qualified to give blood, and yet we would be telling the men of this House and of the Senate—rather putting them on the spot if they would not be willing to give of their blood.

Besides, I believe that this would also take in, and I believe there has been some complaint so far as the departments are concerned on the Hill—we have investigated that situation and find that each department has a committee organized, which certainly would function, I believe, just as well as the committee that we might appoint from the House or the Senate to take care of those people in the departments in urging them to give blood. Besides that, I believe it was at the instance of a Member on this side of the House with whom the committee also talked, that a Mrs. Nauman, who is chairman of the recruiting committee of the Red Cross extended the invitation and made certain arrangements, I believe, with another gentleman on the other side to have someone here, a matter of registering and taking names to have men go to the

Red Cross headquarters in Harrisburg and give of their blood.

Besides that there are a lot of men on this floor—and I might inquire of the gentleman from Philadelphia if he has taken the time to check, as members of this committee have, the number of men that have given, not to this particular chapter but to Red Cross Chapters in their own community? Therefore I feel that this resolution, which sets up a committee here in the House and a similar committee in the Senate, would make it compulsory to make the arrangements to have these men give their blood. Before we do that we should certainly go into all the facts and all the details as to how many men are eligible, how many have given blood in their own communities, instead of coming here and saying it is an unpatriotic person who is not willing to go along with a resolution of this kind.

RESOLUTION LAID ON TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that this resolution to discharge the Committee be laid upon the table.

The motion was agreed to.

PARLIAMENTARY INQUIRY

Mr. PETROSKY. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. PETROSKY. Mr. Speaker, is a motion for the discharge of a committee debatable?

The SPEAKER. The motion itself is debatable. A motion to lay on the table takes precedence, however, and is not debatable.

Mr. PETROSKY. Mr. Speaker, I specifically asked whether, regardless of this instance, a motion to discharge a committee is debatable.

The SPEAKER. The Chair would inform the gentleman from Westmoreland, Mr. Petrosky, that the motion itself is debatable within the narrow limits of the motion.

Mr. PETROSKY. Is the matter contained within the material of the motion for discharge debatable?

The SPEAKER. The merits of a resolution or a bill from the consideration of which a Committee is to be discharged would not be debatable.

QUESTION OF PERSONAL PRIVILEGE

Mr. SKALE. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The Chair is of the opinion that it is rather unfair to all the Members of the House to recognize the gentleman at this time on a question of personal privilege. We have a very long calendar.

Mr. SKALE. Mr. Speaker, it is just as unfair when the motives of a Member of the House are impunged with regard to the introduction of this resolution. I think I am entitled to answer the imputations of the gentleman made in connection with his motion to lay on the table, which was cut off by the nature of the motion.

The SPEAKER. The Chair is of the opinion that the gentleman had more than ample time to discuss the subject.

Mr. SKALE. Does the Chair then refuse to grant me the privilege of speaking on the floor under a question of personal privilege?

The SPEAKER. The Chair will lay the matter before the House.

Mr. SKALE. No, Mr. Speaker, I asked permission from you. I do not require the unanimous consent of the House on a question of personal privilege.

The SPEAKER. The Chair will not grant recognition to the gentleman under a question of personal privilege at this time.

Mr. SKALE. Then I assume that the Chair refuses to grant me the privilege?

The SPEAKER. That is exactly what the gentleman may assume.

REPORTS FROM COMMITTEES

Mr. KRISE, from the Committee on Elections, reported as committed, House Bill No. 116, entitled:

An Act to amend the act, approved the third day of June, one thousand nine hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections; county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," by adding thereto article nine A, providing a general procedure for local option referendums.

Mr. CALVIN, from the Committee on Judiciary General, reported as committed, House Bill No. 682, entitled:

An Act to further amend clause (b) of section twenty-seven of the act, approved the seventh day of June, one thousand nine hundred seventeen (P. L. 447) entitled, as amended "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein; the survival of causes of action and suits thereupon by or against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers, and liabilities of non-resident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estate of decedents," by further regulating the discharge of charges on real estate.

Mr. REAGAN, from the Committee on Agriculture, reported as committed, House Bill No. 749, entitled:

An Act to further amend sections fifteen and eighteen of the act, approved the twelfth day of June, one thousand nine hundred nineteen (P. L. 466), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations not having a capital stock and not conducted for profit, and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, beekeeping, and horticulture," by providing for the termination of memberships, and exempting associations from payment of certain State, county or municipal tax, and the filing of reports relative to such taxes.

Mr. REAGAN, from the Committee on Agriculture, reported as committed, House Bill No. 892, entitled:

An Act to amend sections two, four, five, six, seventeen and twenty of the act, approved the thirtieth day of April, one thousand nine hundred and twenty-nine (P. L. 885), entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock; and defining agriculture so as to include persons engaged in agriculture, dairying, livestock raising, poultry raising, floriculture, mushroom growing, beekeeping, horticulture, and other allied occupations; and providing penalties," by providing for associations to be formed by two or more cooperative agricultural associations; removal of limitations on holding of common stock; further regulating preferred stock dividends and patronage, and further exempting certain classes of associations formed under such act from state, county and municipal taxation, and from the duty of filing certain tax reports.

Mr. CALVIN, from the Committee on Judiciary General, reported as committed, House Bill No. 901, entitled:

An Act to amend section one of the act, approved the eighth day of May, one thousand eight hundred ninety-five (P. L. 44), entitled "An act providing for the release and discharge of encumbrances or charges on land in all cases in which the period of twenty-one years has elapsed after the principal of the encumbrance or charge has become due and payable, and no payment has been made within such period of twenty-one years on account of such encumbrance or charge by the owner or owners of the land sought to be released and discharged and no sufficient release is of record in the county, and regulating proceedings for such release and discharge," further regulating the publication of notice in such proceedings to discharge encumbrances and charges on land.

Mr. NORMAN WOOD, from the Committee on Appropriations, reported as committed, House Bill No. 1109, entitled:

An Act making an appropriation to the Department of Revenue for the payment of claims for legal services.

Mr. MAHANY, from the Committee on Aeronautics, reported as amended, House Bill No. 613, entitled:

An Act creating a commission to investigate and consider various phases of aeronautics in order to keep the General Assembly advised as to legislation which may be needed to keep the Commonwealth of Pennsylvania abreast of present rapid developments in this field; directing such commission to make a report and recommendations to the General Assembly; conferring certain powers upon such commission including the power to issue subpoenas, administer oaths and affirmations; retain employes and expend funds and making an appropriation.

Mr. ROWLEY, from the Committee on Judiciary General, reported as amended, House Bill No. 716, entitled:

An Act to amend Section three of the Act approved the second day of July one thousand nine hundred and thirty-seven (P. L. 2793) entitled "An act authorizing and empowering any city county school district or other municipality which shall have acquired a limited title to real estate for municipal purposes to secure a title in fee simple to any such real estate and providing and regulating the procedure in such cases" by making a final determination conclusive against subsequent claimants.

Mr. KRISE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 108, entitled:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

Mr. STOCKHAM, from the Committee on Judiciary General, reported as committed, Senate Bill No. 208, entitled:

An Act allowing costs and counsel fees to stakeholder in interpleader proceeding out of funds paid into court.

Mr. WORLEY, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 241, entitled:

An Act to amend section six hundred twenty-eight of the act approved the twenty-fourth day of June one thousand nine hundred thirty-nine (P. L. 872) entitled "An act to consolidate amend and revise the penal laws of the Commonwealth" by providing for the prescribing issuing and filing of certain forms by and with the Commissioner of the Pennsylvania Motor Police instead of the Secretary of the Commonwealth.

Mr. MOSER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 248, entitled:

An Act regulating and providing fees of the clerks of quarter sessions of counties of the fourth class.

Mr. LLOYD H. WOOD, from the Committee on Judiciary General, reported as committed, Senate Bill No. 268, entitled:

An Act to amend section seventeen of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans courts the powers and duties of the judges thereof and appeals therefrom" by prescribing procedure in cases affecting the interest of any lunatic weak-minded persons presumed decedent or any person who may be unknown or unborn or under disability or out of the jurisdiction under such circumstances that actual notice cannot reasonably be given to such person.

Mr. DALRYMPLE, from the Committee on Elections, re-reported as committed, House Bill No. 77, entitled:

An Act to amend section eighteen and to further amend section twenty-two of the act approved the twenty-ninth day of April one thousand nine hundred thirty-seven (P.

L. 487) entitled "An act to provide for the permanent personal registration of electors in boroughs towns and townships as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors requiring the county commissioners of the various counties to act as a registration commission therefor and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties" permitting registrations before justices of the peace or aldermen.

Mr. DALRYMPLE, from the Committee on Elections, re-reported as committed, House Bill No. 79, entitled:

An Act to amend section nineteen and to further amend section twenty-three of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-seven (P. L. 849) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation" permitting registrations before aldermen.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

SENATE BILL No. 272.

An Act to apportion the Commonwealth of Pennsylvania into congressional districts.

Whereupon,
The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Jones for Mr. HOFFMAN for today's session.

Mr. Readinger for Messrs. HAMILTON and GRANT for the remainder of the week.

Mr. BRADLEY for himself for today's session.

Mr. Stonier for Mr. CORDIER for today's session.

Mr. Lichtenwalter for Mr. McATEE for the remainder of the week.

BILLS READ AT LENGTH

Mr. COHEN. Mr. Speaker, under Article III, Section 4 of the Constitution, I request that all bills be read at length.

BILL ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 133, entitled:

An Act to repeal the act approved the twenty-first day of March, one thousand nine hundred twenty-nine (P. L. 34), entitled "An act authorizing judges of the courts of common pleas and orphans' courts in counties of the third class to employ stenographers, typists and clerks to facilitate the business of the courts, and to provide for the payment of their compensation by the county, and validating former employments and payments therefor."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WEISS. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. WEISS. Mr. Speaker, have we acted on House Bill No. 133, Printer's No. 480?

The SPEAKER. The House has acted on House Bill 133, Printer's No. 480. The bill was laid aside for second reading.

Mr. WEISS. Mr. Speaker, my question of parliamentary inquiry is under Rule 60 of the House;

> —not in order to consider a bill of similar character after being once defeated."

A similar bill has been defeated in the Senate. Is it in order to pass now on a bill of the same import in the House?

The SPEAKER. The Chair would inform the gentleman from Westmoreland, Mr. Weiss, that the proper time to raise that question would be when the bill is on third reading and final passage. In the meantime the Committee on Rules will investigate and find out if the bills are identical or of a similar import.

BILLS ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 245, entitled:

An Act making an appropriation to the Department of Welfare for use by the State Council for the Blind in supplying home instruction for adult blind persons.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 277, entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanted Indian Reservation in Elk Township, Warren County, Pennsylvania.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 387, entitled:

An Act relieving drivers of motor vehicles owned or used by volunteer fire companies from personal liability for damages to persons or property resulting from the operation of such vehicles in going to, attending or returning from fires or while engaged in other proper uses.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 491, entitled:

An Act making an appropriation to the Department of Highways out of the Motor License Fund, for the purpose of rebuilding county bridges carried away or destroyed by fire, flood or other casualty, and of carrying out the provisions of existing laws relating thereto.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 557, entitled:

An Act to add clause (m) to section two hundred four of the act approved the twenty-second day of May, one thousand nine hundred thirty-three, (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to an exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising, and consolidating the law relating thereto; and repealing existing laws," providing further exemptions from taxation; and making the provisions for exemptions applicable to institution district taxes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 727, entitled:

An Act to further amend section twenty-seven of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," further limiting the application of the section.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The SPEAKER. The Chair requests the gentleman from Erie, Mr. Van Allsburg, to preside during first reading bills.

MR. VAN ALLSBURG IN THE CHAIR

BILLS ON FIRST READING

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 900, entitled:

An Act to further amend subsection A of section six hundred eighty-five of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," defining the specific powers and financial requirements of title insurance companies, and providing for the regulation and supervision thereof; prohibiting the guaranteeing of mortgages by such companies; providing for reserves and limiting the amount of liability permissible under policies of title insurance for a single transaction, by further defining and enlarging the powers of title insurance companies which have relinquished any right or power to accept or receive deposits or otherwise engage in a banking business or to act as trustees, guardian, executor, administrator or in any similar fiduciary capacity.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 904, entitled:

An Act exempting beauty and barber shop furniture, mechanical appliances and equipment, leased, hired or conditionally sold, from levy and sale on execution or distress for rent, under certain conditions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 931, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class township of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-four and one thousand nine hundred forty-five, permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions, and providing for the method of payment to townships.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 933, entitled:

An Act to amend clauses two, five, six, seven, eight and nineteen of section twelve hundred ten of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" fixing the minimum annual salary and increments of members of the teaching and supervisory staff in all school districts and of county and assistant county superintendents, increasing the percentage of state-aid for districts and providing additional state-aid through an equalization fund created by this act, to be maintained from state appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 948, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of certain soldiers, sailors, marines, female field clerks, yeomen (female) and nurses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 950, entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing, and for the purpose of matching additional federal funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 952, entitled:

An Act making an appropriation from the Banking Department Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Banking Department Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 953, entitled:

An Act making an appropriation from the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Motor License Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 955, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that Department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 959, entitled:

An Act making an appropriation from the State Workmen's Insurance Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Workmen's Insurance Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 962, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 963, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by the Pennsylvania State College with The General State Authority for the use and occupancy by such college of the various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 965, entitled:

An Act making an appropriation from the State Stores Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the State Stores Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 966, entitled:

An Act making an appropriation from the Fish Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with Respect to State employes receiving compensation from the Fish Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 969, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue for the payment of the Loan and Transfer Agent of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 970, entitled:

An Act making an appropriation to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 971, entitled:

An Act making an appropriation to the General State Authority to defray the costs and expenses of the said Authority in connection with the organization, administration and operation thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 977, entitled:

An Act making an appropriation to the Department of Labor and Industry to meet the obligation of the Commonwealth to pay a part of the compensation payable for certain occupational diseases.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 978, entitled:

An Act making an appropriation to the Department of Forests and Waters for the repair or reconstruction of a dam across the Lehigh River at Easton, Northampton County, and dredging in the Lehigh River and the entrance of the Delaware River Canal.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 979, entitled:

An Act making an appropriation from the Manufacturing Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Manufacturing Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 980, entitled:

An Act making an appropriation from the Game Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth to the State Employes' Retirement System with respect to State employes receiving compensation from the Game Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1021, entitled:

An Act to amend section one of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 403), entitled "An act relating to the form, execution, revocation, and interpretation of wills; to nuncupative wills; to the appointment of testamentary guardians; to spendthrift trusts; to forfeiture of devise or legacy in case of murder of testator; to elections to take under or against wills, and to the recording and registering of such elections and of decrees relative thereto, and to the fees therefor," authorizing certain minors to dispose of their real and personal estate by will.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1097, entitled:

An Act to further amend section twenty-one of the act, approved the first day of June, one thousand eight hundred eighty-nine (P. L. 420), entitled "A further supplement to an act, entitled 'An act to provide revenue by taxation,' approved the seventh day of June, Anno Domini one thousand eight hundred and seventy-nine," by establishing a manufacturing exemption with regard to the capital stock tax and the franchise tax on domestic and foreign corporations, joint-stock associations, limited partnerships and companies.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 69, entitled:

A Supplement to the act, approved the eleventh day of May, one thousand nine hundred and five (P. L. 518), entitled "An act making an appropriation for the erection of a home or school for indigent orphans, to be called the Thaddeus Stevens Industrial and Reform School of Pennsylvania, in which school provision shall be made for giving instruction in reading, writing, arithmetic, drawing, duties of citizenship, elementary manual training, the elements of farming, and other requisite branches," authorizing the Thaddeus Stevens Industrial School to collect fees for board and tuition from certain special students.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 341, entitled:

An Act to further amend section two of the act, approved the fourth day of June, one thousand nine hundred and fifteen (P. L. 828), entitled "An act to provide revenue by imposing a State tax upon sales or agreements to sell or memoranda of sales upon deliveries or transfers of shares or certificates of stock in domestic and foreign corporations copartnership associations, and joint-stock associations; providing the manner of collecting such tax and prescribing penalties," by further extending the exemptions from the tax imposed by the said act.

And said bill having been read at length the first time
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 506, entitled:

An Act to further amend section one thousand thirty-three of the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners countries cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" extending the provisions of such section for a further period of two years.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 516, entitled:

An Act to provide protection to estates interests funds and property rights of minors, mental incompetents and absentees secured or to be secured by individual surety or sureties in courts of record or proceedings therein by specifying the requirements of such suretyship the qualifications of such sureties and imposing liens upon the collateral realty involved as well as providing for the revival thereof for execution thereon and for the release discharge or satisfaction thereof.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 517, entitled:

An Act to further amend section one of the act approved the twenty-eighth day of June, one thousand nine hundred and seventeen (P. L. 645) entitled "An act making it unlawful for any individual or individuals to carry on or conduct any business under an assumed or fictitious name style or designation unless upon the filing of a certificate to that effect in the office of the Secretary of the Commonwealth and of the prothonotary requiring county commissioners at the expense of the county to provide books for the entry of such certificates fixing the fees of the Secretary of the Commonwealth and prothonotary and providing penalties" by requiring notice of intention to file such certificates to be given by limiting the assumed or fictitious names which may be adopted and by advertisement and the filing of proofs of such publication.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 640, entitled:

An Act requiring the names of all signers and witnesses to be printed or typewritten below their signatures on certain documents and other written instruments entitled to be recorded or filed; and prohibiting the recording or filing thereof for failure to comply with such requirement.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 868, entitled:

An Act to amend clause two of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by further providing for the minimum salaries and increments of members of the teaching and supervisory staff in school districts of the first class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 924, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of reconstructing and maintaining dikes along Darby Creek in Tinicum and Darby Townships Delaware County and in Philadelphia.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1019, entitled:

An Act to add Section 233.2 to the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing the registers of wills to appoint a solicitor and providing for his salary.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 161, entitled:

An Act to promote the public welfare and to protect mental defectives by prescribing circumstances under which selective sterilization of certain types of institutionalized individuals may be performed without civil or criminal liability and providing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 853, entitled:

An Act to further amend section one thousand two hundred six of the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue, and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" by further regulating leaves of absence for professional employes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER, PRO TEMPORE.

Senate Bill No. 6, Printer's No. 304;
Senate Bill No. 137, Printer's No. 303;
House Bill No. 5, Printer's No. 532;
House Bill No. 445, Printer's No. 533;
House Bill No. 440, Printer's No. 534;
House Bill No. 526, Printer's No. 535;
House Bill No. 560, Printer's No. 536;
House Bill No. 714, Printer's No. 537;
House Bill No. 721, Printer's No. 538;
House Bill No. 745, Printer's No. 539;
House Bill No. 763, Printer's No. 540;
House Bill No. 814, Printer's No. 541;

are not on file and will be passed over.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 827, entitled:

An Act to amend section two thousand four hundred and four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, in order to provide automobile liability insurance on vehicles owned by the United States of America and its instrumentalities, which are loaned to and operated by State employes and certain other persons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER, PRO TEMPORE.

House Bill No. 913, Printer's No. 543;
House Bill No. 923, Printer's No. 544;
House Bill No. 936, Printer's No. 545;
House Bill No. 946, Printer's No. 546;
House Bill No. 947, Printer's No. 547;
House Bill No. 949, Printer's No. 548;
House Bill No. 951, Printer's No. 549;
House Bill No. 954, Printer's No. 550;
House Bill No. 956, Printer's No. 551;
House Bill No. 957, Printer's No. 552;
House Bill No. 960, Printer's No. 553;
House Bill No. 964, Printer's No. 554;
House Bill No. 973, Printer's No. 555;
House Bill No. 976, Printer's No. 556;
House Bill No. 983, Printer's No. 557;
House Bill No. 1029, Printer's No. 558;
House Bill No. 1055, Printer's No. 559;
House Bill No. 1064, Printer's No. 560;
House Bill No. 1074, Printer's No. 561;
House Bill No. 1088, Psinter's No. 562;
House Bill No. 1098, Printer's No. 563;
House Bill No. 1105, Printer's No. 564; and
House Bill No. 1107, Printer's No. 595

are not on file and will be passed over.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 142, entitled:

An Act for the extension of Capitol Park in the City of Harrisburg and for the acquisition of real estate in connection therewith and for the demolition of the buildings and structures thereon providing for and imposing powers and duties upon a Capitol Park Extension Commission conferring powers and duties upon the Department of Property and Supplies and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 177, entitled:

An Act to amend section three hundred one of the act approved the fifth day of December one thousand nine hundred and thirty-six (1937, P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" providing for the payment of contributions by employers in accordance with an experience rating system and providing for and regulating suuch experience rating system and the terms and procedure to effectuate the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 178, entitled:

An Act to amend section one of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-five (P. L. 244) entitled "An act creating a Local Government Commission to study and report on functions of local government their allocation and elimination the cost of local government and means of reducing it and the consolidation of local government and making an appropriation" fixing the terms of the members of said commission providing for the filling of vacancies and making an appropriation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 207, entitled:

An Act providing for commissioning as police officers certain employes of institutions maintained in whole or in part by the Commonwealth conferring upon them the powers of constables in certain cases and imposing duties on wardens and keepers of jails police stations and lockups.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.
The House proceeded to the first reading and consideration of Senate Bill No. 261, entitled:

An Act to amend section one of the act, approved the fifth day of August, one thousand nine hundred and forty-one (P. L. 826), entitled "An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey certain plots of land," by correcting the location of the plot of land described in paragraph Fourteen, and providing for the sale of certain additional plots of land.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 266, entitled:

An Act to provide for the publication of the reports of the decisions of the Supreme Court of Pennsylvania and of the Superior Court in bound volumes and in advance sheets regulating the basis upon which bids shall be submitted and provisions of the contract for publication of such reports conferring powers and imposing duties on the State Reporter the Department of Property and Supplies and the Secretary of the Commonwealth providing for the custody and disposition of plates used in the printing of the bound volumes of such reports and of the advance sheets thereof and repealing certain acts and parts of acts.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 267, entitled:

An Act to authorize the State Reporter to waive the provisions of any existing contracts requiring volumes of the reports of the decisions of the Supreme Court of Pennsylvania or of the Superior Court to be stereotyped or electrotyped.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 297, entitled:

An Act to amend Article II section two hundred two and to repeal Article IV section four hundred thirty-three and Article XVIII section one thousand eight hundred ten of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 309, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

THE SPEAKER (Ira T. Fiss) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman from Erie, Mr. Van Allsburg, for presiding.

POLL OF HOUSE

Mr. MORAN. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. MORAN. Mr. Speaker, I raise the question of whether or not there is a quorum present. I ask that the roll be called and only those answering to their names be recorded. I ask also that the doors of the House be closed and nobody be admitted or allowed to go out.

The SPEAKER. Does the gentleman insist on the call?

Mr. MORAN. I do, Mr. Speaker. I attend every session here, and I am getting sick and tired of coming in here on Thursday and seeing half the seats vacant. I think we ought to have a showdown.

The SPEAKER. The Sergeant-at-Arms will close the doors of the House and permit no member or officer to leave the House. The Sergeant-at-Arms will carry out the orders of the Chair. The Chair would inform the Members of the House as well as the visitors that all present must remain seated.

The Chair will now read Rule 12 for the information of the House:

> While the House is under a call, only members and officers of the House shall be admitted, and no member shall be permitted to leave the House, unless by a majority vote of the members present.

The Sergeant-at-Arms will take his station outside the door and permit no one to enter except the Members or officers of the House.

Mr. BENTLEY. Mr. Speaker—

The SPEAKER. There is nothing in order but the calling of the roll.

Mr BENTLEY. Mr. Speaker, a question of parliamentary inquiry.

The SPEAKER. There is nothing in order but the calling of the roll.

Mr. MORAN. Mr. Speaker—

The SPEAKER. There is nothing in order but the calling of the roll.

Mr. MORAN. Mr. Speaker, I ask that only those present and answering to their names will be recorded.

The SPEAKER. Only those present can answer to their names. Members will answer present to their names. The Clerk will call the roll and the absentees will be noted.

The roll was called.

PRESENT—146

Alspach,
Baker,
Barrett,
Barton,
Bentley,
Bentzel,
Bonawitz,
Boorse,
Boory,
Bower,
Brigerman,
Brown,
Brunner, C. H.,
Brunner, P. A.,
Campbell,
Chervenak,
Cohen,
Cook,
Cooper,
Corrigan,
Costa,
Coulson,
Cullen,
Dague,
Dalrymple,
Dennison,
Depuy,
Dix,
Duffy,
Ely,
Ewing,
Finnerty,
Flack,
Fleming,
Foor,
Fox,
Freed,
Garber,
Gardner,
Gates,
Goodling,
Goodwin,
Gorman,
Green,
Greenwood,
Haberlen,
Hall,
Hannon,
Hare,
Harris,
Haudenshield,
Heatherington,
Helm,
Herman,
Hersch,
Hocke,
Holmes,
Hoopes,
Hunter, B. F.,
Hunter, W. M.,
Huntley,
Irvin,
James,
Kennedy,
Kirley,
Kline,
Kolankiewicz,
Kowalski,
Krepps,
Krise,
Lane,
Laughner,
Lee,
Leisey,
Leonard,
Leydic,
Lichtenwalter,
Livingstone,
Longo,
Lovett,
Madigan,
McClester,
McKinney,
McSurdy,
Menna,
Miller,
Mintess,
Mock,
Modell,
Mooney,
Moore,
Moran,
Moser,
Muir,
Murray,
Nowak,
O'Brien,
O'Connor,
O'Dare,
Owens,
Petrosky,
Pettit,
Polaski,
Readinger,
Reagan,
Reese, D. P.,
Reese, R. E.,
Reilly,
Robertson,
Rose, W. E.,
Rowley,
Royer,
Sarge,
Scanlon,
Schuster,
Serrill,
Skale,
Smith,
Snider,
Sorg,
Stank,
Stockham,
Stonier,
Tate,
Taylor,
Thompson,
Thrasher,
Tiemann,
Trent,
Trout,
Turbett,
Van Allsburg,
Verona,
Wachhaus,
Wagner, K. H.,
Wagner, P. L.,
Wallin,
Walton,
Welsh,
Wood N.,
Worley,
Wright,
Yeakel,
Yester,
Fiss,
Speaker.

The SPEAKER. The Clerk will read the names of the absentees.

The names of the absentees were read as follows:

ABSENTEES—51

Auker,
Boies,
Boyd,
Bretherick,
Brice,
Burns,
Cadwalader,
Calvin,
Chudoff,
Coleman,
Croop,
Denman,
Dillon,
Elder,
Elliott,
Erb,
Figlock,
Flynn,
Fullerton,
Gillan,
Gross,
Gyger,
Hewitt,
Imbrie,
Jones,
Kitchen,
Levy,
Lyons,
Mahany,
Maxwell,
McMillen,
Mihm,
Munley,
O'Neill,
Powers,
Regan,
Reynolds,
Riley,
Root,
Rose, S.,
Salus,
Sarraf,
Shaw,
Simons,
Sollenberger,
Swope,
Tahl,
Watkins,
Weiss,
Winner,
Wood, L. H.,

The SPEAKER. The Clerk will read the names of those members who are absent by consent of the House.

The names of those members having leave of absence were read as follows:

LEAVE OF ABSENCE—10

Bradley,
Cordier,
Grant,
Hamilton,
Hoffman,
Hoggard,
Linn,
McAtee,
McDowell,
Turner,

Mr. HALL. Mr. Speaker, Mr. Sollenberger, whose name we heard on the roll of the absentees, asked me last night if I would at the proper time today ask for leave of absence for him for the balance of the week. Unfortunately I had an appointment with my Senator and could not be in the Hall of the House at the proper time. I wish to make this fact known to the House and ask for leave of absence for him for today's session and for the balance of the week.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

Mr. JAMES. Mr. Speaker, for the record I wish to take the responsibility for failing to ask for leave of absence for my colleague Mr. Bretherick of Delaware County. I spoke to Mr. Bretherick on the phone this morning before the session opened, and it was my obligation to ask for leave of absence for him. I was out of the House at the time when leaves of absence were in order and I wish to make this correction.

The SPEAKER. The remarks of the gentleman will be spread upon the Journal.

Mr. BENTLEY. Mr. Speaker, it was my understanding that Mr. Powers of Allegheny County had asked for leave of absence for Mr. Mihm who has been ill. If he has not done so it has been an oversight and the record should show that Mr. Mihm has been ill and confined to his home, and that it was an oversight.

The SPEAKER. The remarks of the gentleman will be spread upon the record.

Mr. BENTLEY. I would further ask, Mr. Speaker, does the record show that Mr. Powers asked for leave of absence for Mr. Mihm?

The SPEAKER. The Chair will check the record.

Mr. HARE. Mr. Speaker, I would like the record to show that Mr. McMillen of Indiana, owing to the serious illness of his wife, who was taken to the hospital was called home and he asked me at that time to secure leave of absence for him.

Likewise Mr. Wood of Lancaster County has been asked to secure leave of absence for the gentleman from Indiana, Mr. Hewitt, and I should like the record to show that we were derelict in not being present when the leaves of absence were in order.

The SPEAKER. The remarks of the gentleman relative to Mr. McMillen, will be noted on the record.

The Chair recognizes the gentleman from Lancaster, Mr. Wood.

Mr. NORMAN WOOD. The gentleman from Indiana, Mr. Hewitt, asked me to request leave of absence for him. Unfortunately I was out of the House during that order of business and therefore failed to ask for leave of absence.

The SPEAKER. The remarks of the gentleman will be noted in the record.

Mr. GREENWOOD. Mr. Speaker, Mr. Erb of Blair County asked me to ask for leave of absence for him. I was not present at the time leaves of absence were in order. I am sorry, and I would like to do that now. It was my error.

The SPEAKER. The remarks of the gentleman from Wyoming will be noted on the record.

Mr. BARRETT. Mr. Speaker, for the record, I would like to report that my colleague, Dr. Boies, has a ten year old son who is very ill with a "strep" throat. Last week he asked me to ask for leave of absence for him I think in his hurry this week he overlooked it, so at this time I would like to place that in the record and I ask for leave of absence for him.

The SPEAKER. The remarks of the gentleman will be placed in the record.

Mr. VERONA. Mr. Speaker, I was asked by Dr. Sarraf to ask for a leave of absence for him today, but I was talking to my Senator and I neglected to do so.

The SPEAKER. The remarks of the gentleman will be placed in the record.

Mr. HERMAN. Mr. Speaker, my colleague Mr. Levy from Philadelphia was in the House until about a half hour before this roll call. He got a telephone call and had to leave in a hurry. Now, the gentleman did not ask me to say anything about leave of absence. I expected him to be back. What that telephone call was I don't know, but I know he was here until about thirty minutes before the roll call.

The SPEAKER. The remarks of the gentleman will be noted in the record.

The SPEAKER. The final result of the quorum roll call is one hundred forty-six present, fifty-one absent, ten leaves of absence. A quorum is present in the House.

Mr. MORAN. Mr. Speaker, now that we know we have a quorum, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 310, entitled:

A Joint Resolution proposing an amendment to article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto a section.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 312, entitled:

An Act to further amend section one thousand four hundred and thirty-nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by providing for payment for education of blind children out of appropriations made to the Department of Public Instruction for such purposes and conforming said section to existing law.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 401, entitled:

An Act to amend section five hundred twenty-five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by making provision for the destruction of certain records in the various administrative departments, boards or commissions, after such records have been first microfilmed.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 453, entitled:

An Act transferring money received from the sale of certain real estate and paid into the General Fund from the General Fund to the Motor License Fund.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 474, entitled:

An Act providing that the proceeds of the sale of real estate owned by the Commonwealth, together with the rentals derived therefrom, shall be repaid to and credited to the proper special fund, from which the funds to purchase said real estate were taken.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of Senate Bill No. 478, entitled:

An Act to amend section two of the act approved the second day of June, one thousand eight hundred and eighty-three (P. L. 61), entitled "An act supplementary to an act entitled 'An act for the incorporation and regulation of corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, authorizing the incorporation of pipe lines for the transportation of petroleum, and providing for the exercise of the right of eminent domain in taking lands and property for such purposes," by enlarging and extending the powers of such companies including the acquisition and disposition of franchises, shares of stock and property of such companies in this and other states, the distribution and storage of oil and petroleum products, the use of connecting lines and equipment of other companies and producers and refiners, the construction and maintenance of connecting pipe lines or branches, pumps, tanks and other equipment within and without the State; extending the power of eminent domain; preserving the jurisdiction of the Pennsylvania Public Utility Commission; and regulating the laying of pipes by such companies and by foreign companies including companies incorporated under the Act of Congress, and the erection and protection of storage tanks.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 502, entitled:

An Act authorizing the Department of Property and Supplies to sell and convey a lot or piece of land in Delaware County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 521, entitled:

An Act relating to reservation of powers of the Commonwealth municipalities and political subdivisions thereof with respect to lands purchased or condemned by the United States.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER. Senate Bill No. 34, Printer's No. 328;
House Bill No. 81, Printer's No. 565;
House Bill No. 106, Printer's No. 566;
House Bill No. 177, Printer's No. 567;
House Bill No. 191, Printer's No. 568;
House Bill No. 278, Printer's No. 569;
House Bill No. 307, Printer's No. 570;
House Bill No. 327, Printer's No. 571;
House Bill No. 415, Printer's No. 572;
House Bill No. 428, Printer's No. 573;
House Bill No. 49[illegible], Printer's No. [illegible];
House Bill No. 532, Printer's No. 575;
House Bill No. 671, Printer's No. 576;
House Bill No. 945, Printer's No. 577;
House Bill No. 961, Printer's No. 578;
House Bill No. 968, Printer's No. 579;
House Bill No. 975, Printer's No. [illegible]
House Bill No. 1006, Printer's No. 582;
House Bill No. 1030, Printer's No. 5[illegible]
House Bill No. 1101, Printer's No. 592; and
Senate Bill No. 165, Printer's No. 329;
are not on file and will be passed over.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 218, entitled:

An Act to further amend Section 601, 602 and 605 of and to add Sections 601.1, 601.2 and 601.3 to the act approved the fourth day of May, one thousand nine hundred twenty-seven, (P. L. 519), entitled " An act concerning boroughs and revising amending and consolidating the law relating to boroughs," changing and further providing procedure to create change or establish boundaries of wards in boroughs imposing additional duties on borough councils, providing in certain cases for local option and terminating unfinished proceedings heretofore commenced for such purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS NOT ON FILE

The SPEAKER. Senate Bill No. 311, Printer's No. 331
Senate Bill No. 388, Printer's No. 333;
Senate Bill No. 389, Printer's No. 332; and
Senate Bill No. 759, Printer's No. 594,
are not on file and will be passed over.

Agreeably to order,
The House proceeded to the first reading and consideration of Senate Bill No. 246, entitled:

An Act to enable tax collectors and receivers of taxes in counties of the sixth class to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION TO ADDRESS THE HOUSE

Mr. MORAN asked and obtained unanimous consent to address the House.

Mr. Speaker, we just got through polling the House, and we can poll it again if the members do not stay here until we get through with this calendar.

MEMBERS PRESENT

The SPEAKER. The Chair has been informed that the gentleman from Lycoming, Mr. Elder, the gentleman from Lycoming, Mr. Riley, and the gentlemen from Allegheny, Messrs. Powers and Reynolds are in the House. Will the gentlemen please rise in their place and make their presence known?

The Members named rose in their places and indicated their presence.

BILL ON SECOND READING

Agreeably to order,
The House proceeded to the second reading and consideration of Senate Bill No. 48, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending certain provisions of Section one thousand and twelve thereof for the duration of the war and six (6) months thereafter

The first section was read.

On the question,

Will the House agree to the section?

Mr. WALTER E. ROSE offered the following amendment:

Amend Sec. 1, page 2, lines 1 and 2 by striking out the words "twenty-ninth day of June" and inserting in lieu thereof: "first day of May."

Amend Sec. 1, page 2, lines 2 and 3, by striking out the following "thirty-seven (Pamphlet Laws 2329)" and inserting in lieu thereof: "twenty-nine (P. L. 905)".

Amend Sec. 1, page 3, line 10, by inserting after the word "as" the following: "last".

Amend Sec. 1, page 3, line 10, by inserting after the word "amended" the following: "by the act, approved the twenty-seventh day of June, one thousand nine hundred thirty-nine (P. L. 1135)".

Amend Sec. 1, ,page 3, lines 11 and 12, by striking out the following "by adding thereto a new clause in the heading and after subsection (f) a new subsection" and inserting in lieu thereof: to read

Amend Sec. 1 (Sec. 1012), page 3, line 15, by striking out all of said line and inserting in lieu thereof:

(a) The driver of any vericle upon a highway before starting, stopping or turning from a direct line, shall first see that such movement can be made in safety, and, if any pedestrian may be affected by such movement, shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle approaching or following may be affected by such movement, shall give a signal, as required in this section, plainly visible to the driver of such other vehicle of the intention to make such movement.

(b) The signal herein required shall be given by means of the hand and arm, in the manner herein specified or by an approved mechanical or electrical signal device, when the secretary finds that a vehicle is so constructed or loaded as to prevent the hand and arm signal from being visible to the front and rear, the signal shall be given by a device of a type which, at the time of its use, is approved by the secretary.

(c) Whenever the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop, or turn, by extending the hand and arm horizontally from and beyond the left side of the vehicle, or, if he is driving a closed vehicle, by his hand and arm in such a way as to be visible through the window in the rear of the vehicle.

(d) The secretary is hereby authorized, and it shall be his duuty, to make rules and regulations, not inconsistent with this act, for the efficient administration of this section, excepting that he shall make no finding under subsection (b) of this section relating to mechanical or electrical signal devices affecting commercial vehicles, which measure less than thirteen (13) feet from the center of the top of the steering column to the rear end of such vehicle, or when the body of such vehicle extends less than twenty (20) inches to the left of the center of the top of the steering column.

(e) All mechanical or electrical signal devices shall be maintained at all times in good working order.

(f) No driver of any vehicle upon a highway shall give a signal indicating a stop, start, or turn, unless such signal is required by this act.

Amend Sec. 1 (Sec. 1012), page 3, by inserting between lines 20 and 21 the following:

Penalty—Any person violating any of the provisions of subsections (a), (b), (c), (e) or (f) of this section, shall, upon summary conviction before a magistrate, be sentenced to pay a fine of ten ($10) dollars and costs of prosecution, and, in default of the payment thereof, shall undergo imprisonment for not more than five (5) days.

They were agreed to.

The section was agreed to as amended.

The second section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. WALTER E. ROSE offered the following amendments:

Amend Title, page 1, line 1 of title, by inserting after the word "To" the following: " further."

Amend Title, page 1, line 1 of title, by inserting after the word "amend" the following: "Section 1012 of."

Amend Title, page 2, line 9 of title, by striking out the words "as variously amended"

Amend Title, page 2, line 10 of title, by striking out the words "Section one thousand and twelve thereof" and inserting in lieu thereof: "said section"

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

RESOLUTION

RECALLING HOUSE BILL NO. 421 FROM THE GOVERNOR

Mr. LEISEY offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, April 22, 1943.

Resolved (if the Senate Concur) That House Bill No. 421, Printer's No. 85, entitled:

An Act to add section ten to the act approved the first day of July one thousand nine hundred thirty-seven (P. L. 2624) entitled "An act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land" authorizing townships to make appropriations for said purposes

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of Senate Bill No. 49, entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses maigstrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as variously amended suspending the provisions of Section nine hundred and two (f) thereof for the duration of the war and six (6) months thereafter

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for third reading.

BILLS PASSED OVER

There being no objection

Senate Bill No. 313, Printer's No. 138
Senate Bill No. 472, Printer's No. 238

were passed over at the request of Mr. WALTER E. ROSE.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. VAN ALLSBURG.

The House resumed the consideration on second reading of House Bill No. 1071, entitled:

An Act to further amend the act approved the twenty-fourth day of June one thousand nine hundred thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" declaring the legislative intent restricting the powers of the Department of Public Assistance and the State Board of Public Assistance extending the powers of county boards of assistance and making provision reciprocal with other states for assistance to certain aged persons

The first, second, third, fourth and fifth sections were separately read and agreed to.

The sixth section was read.

On the question,

Will the House agree to the section?

Mr. MOCK offered the following amendment:

Amend sec. 6 (sec. 9) page 12, by inserting between lines 11 and 12, the following: "No aged person shall be required in connection with the receipt of assistance for the aged under this clause to give any bond, note or other obligation in any amount to secure the repayment of moneys received as assistance; and any such bond, note or other obligation heretofore given is hereby cancelled and shall hereafter be of no effect. In any case where any such bond, note or other obligation has heretofore been entered of record, or judgment has been entered thereon, such judgment or record shall be satisfied by the Department of Justice."

It was agreed to.

The section was agreed to as amended.

The seventh section was read and agreed to.

The title was read.

On the question,

Will the House agree to the title?

Mr. MOCK offered the following amendments:

Amend title, page 2, line 10 of title, by striking out the word "and" where it appears for the second time in said line.

Amend title, page 2, line 12 of title, by inserting after the word "persons" the following: "and prohibiting the requiring of a bond, note or other obligation for repayment of old age assistance; cancelling and providing for satisfaction of such bonds, notes or other obligations heretofore given."

They were agreed to.

The title was agreed to as amended.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 909, entitled:

An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution

The first section was read.

On the question,

Will the House agree to the section?

Mr. TIEMANN offered the following amendments:

Amend Sec. 1, page 9, line 8, by inserting after the word "Marlboro" the following: "Paperville, South Coatesville".

Amend Sec. 1, page 9, line 20, by inserting after the word "Westtown" the following: "West Pikeland, West Sadsbury, West Vincent,"

Amend Sec. 1, page 13, lines 5 and 6, by striking out the word "Olphant" and inserting in lieu thereof: "Olyphant"

Amend Sec. 1, page 13, line 11, by inserting after the word 'Carbondale" the following: "and"

Amend Sec. 1, page 13, line 11, by striking out the words "Greenfield and Scott"

Amend Sec. 1, page 13, line 14, by striking out the word "Glenburn"

Amend Sec. 1, page 13, line 14, by striking out the words "La Plume"

Amend Sec. 1, page 13, line 17, by striking out the word "and"

Amend Sec. 1, page 13, line 18, by inserting after the part-word "ington" the following: "Greenfield, Scott, Glenburn and La Plume"

Amend Sec. 1, page 17, line 18, by inserting after the word "Haven" the following: "Tower City".

On the question,

Will the House agree to the amendments?

Mr. IRVIN. Mr. Speaker, I move that the bill together with the amendments be recommitted to the Committee on Apportionment for further study.

On the question,

Will the House agree to the motion?

Mr. TIEMANN. Mr. Speaker I ask the members to oppose this motion. The Governor in his speech asked that we give consideration to Legislative Reapportionment.

The Constitution of the state of Pennsylvania asks, rather demands, that after every United States census the state should be reapportioned. The way the present setup is, it is inequitable, it is unfair to make a motion at this time. The gentleman who made that motion represents the lone member of approximately twelve thousand people.

The SPEAKER. The gentleman may not discuss the merits of the bill, but must confine his remarks to the motion to recommit.

Mr. TIEMANN. Mr. Speaker, I think I am talking about the motion to recommit. It is the intention to kill the bill. I believe that the remarks I am making have a bearing on the bill and the amendments and the motion to recommit. I think I am in order on what I am talking about.

The SPEAKER. The Chair will give the gentleman every latitude possible but has no other recourse than to confine him to motion to recommit.

Mr. TIEMANN. Mr. Speaker, to give you some idea of how unfair our present setup is, there are eleven gentlemen from Philadelphia on our side of the House who represent no more than I do myself in my district, one against eleven. I represent approximately one hundred and eighty thousand people and I can name you the men who are opposing this bill from Philadelphia, Mr. Costa, Mr. Salus, Mr. Root, and Mr. Murray.

The SPEAKER. The Chair insists that the gentleman confine himself to the question before the House, the motion to recommit.

Mr. TIEMANN. All right, Mr. Speaker. In fair play, I ask the gentlemen in this House of Representatives to abide by the Constitution and give us a chance to vote on this bill on third reading. I thank you very much.

Mr. IRVIN. Mr. Speaker, when I made the motion to recommit I had no intention to pickle the bill. All I wanted was equal and fair distribution for the entire state of Pennsylvania.

Mr. JAMES. Mr. Speaker, I want to speak against recommitting this bill to the committee. There are enough good reasons why it should not be recommitted to the committee to make a very decent argument without going into the merits of the bill. The gentleman from Philadelphia, Mr. Tiemann, has very properly said this bill is of interest to every Member of this House. This bill has been in the process of making, it has been open to criticism, it has been open to suggestions for a long period of time, and during that time, to the knowledge of every man in this House the sponsor of the bill willingly sought advice, sought criticism and sought opinion generally on this bill. To recommit this bill at this time to a committee of not more than thirty men would be an extremely unfair thing to all of the Members of this House. This bill in principle has a great deal of merit, but its merit lies entirely on the question of fair representation in the state of Pennsylvania, as required by the constitution of Pennsylvania. A division of fair representation at this time could not be possible under any circumstances in any committee. I feel and believe that every opportunity should be given on the floor of this House and to every Member to offer amendments, but I feel and I believe that that should be done on the floor of the House, open and above board and not in a star chamber session. I think every man in this House has opinions on this bill, and it is utterly hopeless to have every man attend the committee meetings, but here in the open and on the floor of this House we can all have our say, we can hold each other up or we can knock each other down, and I think that that is the kind of procedure we should have on any measure that has to do with every legislative district in this state. I hope that in honesty and in fair play and in consideration of the rights of all of the representatives and all of the people of this state this bill will now be allowed to remain on this floor and take its defeat or take its passage on its merits as those merits may be declared by final analysis and amendments.

Mr. HOCKE. Mr. Speaker, I rise to oppose the motion to recommit. Mr. Tiemann came to us as he did to the others who are affected by this bill. It affects us very much in York County but I hate to see the bill pickled. We had plenty of time to make all of the amendments that were necessary. I consulted with the Members of the Legislature concerning this bill, Democrats as well as Republicans, and I think it is a good bill and it is high time that something like this should be done. In my district I represent eighty thousand people against another district of forty thousand, and something should be done to equalize this situation. I hope the Members will vote the motion down.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the ayes appeared to have it.

Whereupon a division was called for, seventy-seven members having voted in the affirmative and forty-six in the negative the question was determined in the affirmative and the motion was agreed to.

PARLIAMENTARY INQUIRY

Mr. FLEMING. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. FLEMING. Mr. Speaker, I have amendments that I wish to offer which I had not sent to the desk. Would it be permissible to send them now so that they can be sent to the committee with the other amendments?

The SPEAKER. The Chair will inform the gentleman from Allegheny that there were many Members who had amendments, but the motion to recommit stopped those amendments from being offered on the floor. However, they can be offered in committee.

PERMISSION TO ADDRESS HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, about two weeks ago several of my colleagues from both the Senate and the House, Democratic Members of the two bodies, asked for and received an invitation from the Governor to consult with him concerning our grievances arising out of what we consider the non-production of essential legislation pertaining to the war effort. The meeting was held with the Governor, and as has already been stated in the public press, we met for ninety minutes. Both sides spoke freely, and there was a great interchange of ideas.

As has been publicly stated already, the Governor told us that he would be happy to go over a written presentation of the eleven points which we sought to bring to his attention, and that we would have a response at an early date. Within a few days a letter was sent to each of the members of this committee, which in effect suggested that a committee, composed of the gentleman from Lehigh, Mr. Lichtenwalter, the Speaker of the House, myself as Minority Floor Leader of the House, and one other House member, the Majority Floor Leader of the Senate, the gentleman from Delaware, Mr. Heyburn, together with the gentleman from, I believe, Susquehanna, I am not certain, the President pro tempore of the Senate, Mr. Ely, the Minority Floor Leader of the Senate, the gentleman from Allegheny, Mr. McGinnis, and one other Senator, should meet together and discuss the proposed eleven points and attempt to come to some agreement or solution.

Since that time, Mr. Speaker, I have been after, and I will say we have been after the members on the other side to hold such a meeting. At the early part of this week I informed the gentleman from Lehigh, Mr. Lichtenwalter, that bowing to the age and wisdom and the mightiness of the office of the Senate, that we will allow the gentlemen on the other side, Senators Heyburn and McGinnis, to set a time for us to sit down together, as the Governor suggested. We were put off by the gentleman from Delaware, Mr. Heyburn, on Monday, we were put off on Tuesday. We started seeing the wisp on Wednesday, and when we finally came to a very tentative agreement on Thursday at four o'clock I went to the other side and spoke to the Senators and then began to come to the realization that they did not want to have such a meeting.

I am not yet sure that they refused to meet with us, and because of that, Mr. Speaker, I now openly and publicly issue our invitation, since we cannot beg one from them. I now invite the gentleman from Lehigh, Mr. Lichtenwalter, with the Speaker of the House and the two gentlemen from the Senate, Senators Heyburn and the President pro tempore Senator Ealy, together with the Democratic members of this Committee on both sides of this House, to meet at five o'clock next Monday, which I believe will be Monday the 26th, at my office on the second floor of this building, Room 246, to then and there say yea or no to the proposal from me and to at least go through the formalities of the suggestions made by the Governor. This suggestion is made publicly, openly and fairly. Either you want to talk or you never intended to. Either the Governor was bluffing or he was not. Well, we are calling that bluff. Mr. Governor, if you have any influence on the Members of the House or the Senate and those in your official family, I ask you to please communicate with them and ask them to meet with us on Monday afternoon at five o'clock on April 26th in Room 246, of this Capitol Building, and discuss or at least talk about the program that we seek to have adopted at this session of this Legislature.

PERMISSION TO ADDRESS HOUSE

Mr. LICHTENWALTER asked and obtained unanimous consent to address the House.

Mr. Speaker, in order to keep the record clear, I feel that I must make a brief answer to the gentleman from Philadelphia. It is true that I received an invitation to meet with the Committee on the part of the House and Senate to discuss the demands made by the minority upon the majority in order to expedite the business of this session. I have at no time refused to attend such a meeting. I was in contact with the Majority Leader of the Senate, Mr. Heyburn, on two occasions during the past week, at which time we discussed the possibilities of getting together and having such a meeting. I do not see that the Governor should be brought in on this particular question. The Governor said he felt it was a Legislative problem and recommended to the committee representing the minority of both the House and the Senate, certain names on the majority side that should be contacted, to sit around the table and discuss the demands set forth on paper by the minority, in order to expedite this session and in order to rid ourselves of this filibuster.

It would be very difficult, Mr. Speaker, to arrange a meeting of this kind, due to the hours that we have had to stay in this House and due to the hours that the Senate is being confined to its Chambers because of the tactics that have been used during the past two weeks in both the House and the Senate. I do not believe anyone is to be blamed on the majority side if this arrangement could not have been made sooner by a meeting of this group. I was informed by the Minority Leader just this afternoon that the Senator from Delaware had extended an invitation for four o'clock. I said I would be ready. At that time we were engrossed in a great deal of business right here in the House, and I felt that my first duty was on the floor of this House. If by reason of a recess or in any other manner everyone had been notified to meet at any particular place, I certainly would have been there, but I do not feel that I should take any blame for the majority because no meeting was held during the past week. It was not because we do not want to meet, Mr. Speaker, but it was because of the number of hours consumed and wasted in this session that it was practically impossible to try to get a few hours sleep and also hold such a meeting.

PERMISSION TO ADDRESS THE HOUSE

Mr. COHEN asked and obtained unanimous consent to address the House.

Mr. Speaker, so that the record may be straight, the gentleman from Lehigh, Mr. Lichtenwalter or the Speaker of this House, members of this committee selected by the Governor in no wise at any time delayed the seeking of any appointment. I think the gentleman was ready at all times personally to attend such a meeting. I want the record to show that. However, I still insist that the overall picture certainly places the responsibility on the shoulders of the majority.

May I say just one other thing? Since the majority represented by the gentleman from Delaware, Senator Heyburn, has been unable to pick the time or unwilling to pick the time or has refused to pick the time for an appointment, if the majority find it impossible or inconvenient to meet with us on Monday at five o'clock, I will leave the suggestion open to the other side. We will meet you at three, at eight or nine or ten o'clock in the morning, we will meet you at any hour around the clock on any day that you say, but we insist that we ought to have it soon, and Monday is the deadline.

PERMISSION TO ADDRESS HOUSE

Mr. HARE asked and obtained unanimous consent to address the House.

Mr. Speaker, not wishing to inject myself into the discussion between the two floor leaders, I would like to read the first paragraph of a little editorial that I have cut from a newspaper published by the gentleman from Manheim, Mr. Trout, which might put some understanding upon this situation:

> "Strong effort of the minority to govern the majority. Democracy means the government by the majority. Whenever this rule is abolished then a dictatorship is established and the minority becomes the ruling factor. What has been called a filibuster in the Senate and House of Representatives of the General Assembly at Harrisburg during the past week was instituted by the minority party when the majority party refused to permit the minority to dictate the program for legislative action."

Now, gentlemen, we still live in a democracy. I say that the minority party is not now or is ever going to dictate to the majority party the policy on legislative action.

CALENDAR CORRECTION

The SPEAKER. House Bill No. 839, Printer's No. 253, and House Bill No. 926, Printer's No. 291 have not been printed on the calendar, due to a Printer's error. These bills were reported from the Committee on Appropriations as committed yesterday, and should appear on the second reading calendar.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 839, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred forty-three evidenced by tax anticipation notes secured by and payable from current revenues levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 926, entitled:

An Act creating a commission to make a study of juvenile delinquency directing such commission to make a report and recommendations to the General Assembly conferring certain powers upon such commission including the power to issue subpoenas administer oaths and affirmations retain employes and expend funds and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

TIME EXTENDED ON BILLS

Mr. WALTER E. ROSE. Mr. Speaker, I move that the time on House Bill No. 679, Printer's No. 344, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be incinsistent therewith" by increasing the term of the county, assistant county, district and assistant district superintendents.

on page 35 of today's calendar, bills on final passage postponed, be extended five days.

The motion was agreed to.

Mr. WALTER E. ROSE. Mr. Speaker, I move that the time on House Bill No. 302, Printer's No. 324, entitled:

An Act to further amend section seven hundred seven sub-section (e) of section nine hundred three and to repeal section seven hundred eight and subsection (f) of section nine hundred two of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" changing the provisions of said act relating to the weight length and width of motor buses and motor omnibuses and loads and changing the registration fees of motor buses motor omnibuuses and other vehicles used for the transportation of passengers.

on page 36 of today's calendar, bills on final passage postponed, be extended five days.

The motion was agreed to.

Mr. WALTER E. ROSE. Mr. Speaker, I move that the time on House Bill No. 510, Printer's No. 156, entitled:

An Act to amend sections seven hundred thirty-one and seven hundred thirty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," authorizing the courts to issue writs of execution and attachment against property, money and wages of defendants in separation and non-support cases, and the attachment of wages in desertion and non-support cases.

on page 46 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

PROCEDURE EXPUNGED FROM RECORD

Mr. LICHTENWALTER. Mr. Speaker, I move you that the proceedings by which the vote of the gentleman from Blair, Mr. Auker, was challenged, and the ruling of the Chair pertinent thereto, on Wednesday, April 21, 1943, be expunged from the record.

Mr. COHEN. Mr. Speaker, I second that motion.

The motion was unanimously agreed to.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS NOS. 131, 187, 235, 263, 355, 388, 460, 503, 649 and 696.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 131, Printer's No. 90, entitled "An act to amend section five of the act approved the fourteenth day of May one thousand nine hundred fifteen (P. L. 524) entitled 'An act creating a fund for the purpose of rebuilding restoring and replacing buildings structures equipment or other property of the Commonwealth of Pennsylvania damaged or destroyed by fire or other casualty and regulating the placing of insurance thereon and providing penalties for any violation of the provisions of this act' eliminating the exception of armory buildings owned by the Commonwealth and under the supervision of the Armory Board from the provisions of said act."

I have the honor to inform you that I have this day approved and signed House Bill No. 187, Printer's No. 417, entitled "An act validating county treasurers' sales for delinquent taxes where the reports and returns of such sales were not made to the court of common pleas and such sales were not confirmed by the court."

I have the honor to inform you that I have this day approved and signed House Bill No. 235, Printer's No. 415, entitled "An act authorizing the State Board of Medical Education and Licensure to issue temporary permits to doctors of medicine legally licensed in other states to practice medicine and surgery in this State under certain conditions for a limited period of time."

I have the honor to inform you that I have this day approved and signed House Bill No. 263, Printer's No. 178, entitled "An act to amend section fifteen of the act approved the twenty-first day of June one thousand nine hundred thirty-nine (P. L. 626) entitled 'An act providing for and regulating the assessment and valuation of all subjects of taxation in counties of the second class creating and prescribing the powers and duties of a Board of Property Assessment Appeals and Review imposing duties on certain county and city officers abolishing the board for the assessment and revision of taxes in such counties and prescribing penalties' requiring written notice to be given in certain cases to each taxable person whose assessment shall be changed at any triennial assessment."

I have the honor to inform you that I have this day approved and signed House Bill No. 355, Printer's No. 79, entitled "An act to amend section five hundred thirty of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' providing for the filing of the treasurer's bond."

I have the honor to inform you that I have this day approved and signed House Bill No. 388, Printer's No. 414, entitling "An act to amend section four hundred and twenty A of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by giving minors of the age of eighteen years and upwards full power and authority to make contracts of insurance or annuity with any life insurance company authorized to do business in the Commonwealth of Pennsylvania and to exercise all the powers rights and privileges of ownership conferred on them under the terms of any and all such contracts applied for or issued to them with the same force and effect as if they were of age."

I have the honor to inform you that I have this day approved and signed House Bill No. 460, Printer's No. 98, entitled "An Act to add Section six to the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 600) entitled 'An act providing that appointive officers and employes employed by the Commonwealth of Pennsylvania in its civil service or by any department bureau commission or office thereof or by any county municipality township or school district shall not be deemed or held to have resigned or abandoned their offices or employments by reason of enlistment enrollment or draft in the military or naval service of the United States or any branch or unit thereof in time of war or contemplated war prohibiting the removal from their offices or employments of such officers and employes during the period of their service in the Army or Navy directing that one-half of the salaries or wages of such officers or employes as have dependent wives children or parents and not exceeding two thousand dollars per annum be paid during the term of their service in the Army or Navy to such dependents authorizing the employment during said term of substitutes to perform the duties theretofore performed by such officers or employes respectively and providing for the compensation of such substitutes' saving to members of the Pennsylvania Motor Police Force their right to increases in pay and certain advancements in rank."

I have the honor to inform you that I have this day approved and signed House Bill No. 503, Printer's No. 190, entitled "An act authorizing the county commissioners of each county of the third class to establish and maintain a Registry Survey Bureau prescribing the powers and duties of such bureau requiring the registration with such bureau by landowners of certain information relative to the location ownership and transfer of title of real property located in such county imposing certain additional duties upon the county surveyor the sheriff and the recorder of deeds in such county and providing penalties."

I have the honor to inform you that I have this day approved and signed House Bill No. 649, Printer's No. 163, entitled "An act to amend section one thousand five hundred seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled 'An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto' by providing a method for financing the cost of constructing sewers or drains."

I have the honor to inform you that I have this day approved and signed House Bill No. 696, Printer's No. 133, entitled "An Act to repeal the act approved the eighteenth day of June one thousand eight hundred ninety-seven (P. L. 168) entitled 'An act providing for the regulation of the manufacture and sale of distilled and fermented vinegars prescribing their standard to prevent the adulteration of the same providing for the enforcement thereof and punishment for the violation of the same.' "

EDWARD MARTIN.

SENATE MESSAGE

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 174.

An Act to further amend section one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the creation of the office of district superintendent in districts where such office does not exist

BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 174.

An Act to further amend section one thousand one hundred thirty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" making further provision for the creation of the office of district superintendent in districts where such office does not exist

HOUSE BILL No. 170.

An Act to further amend the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by changing the name of the Pennsylvania Motor Police to the Pennsylvania State Police

HOUSE BILL No. 332.

An Act to amend section one thousand two hundred twelve of the act approved the third day of June one thousand nine hundred thirty-seven (P. L. 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by authorizing the refund of certain moneys erroneously paid into the State Treasury for hunting license fees by former county treasurers

HOUSE BILL No. 363.

An Act authorizing the conveyance to the Borough of Norristown of a certain tract of land in the Borough of Norristown County of Montgomery Pennsylvania

HOUSE BILL No. 390.

An Act to further amend section three and section thirty of the act approved the eleventh day of May one thousand nine hundred twenty-one (P. L. 522) entitled as amended "An act relating to dogs and the protection of live stock poultry and game birds raised in captivity from damage by dogs providing for the licensing of dogs by the Secretary of Agriculture providing for the enumeration of dogs by assessors regulating the keeping of dogs and authorizing their destruction in certain cases providing for the protection of licensed dogs and for dogs temporarily imported for trial show and breeding purposes prescribing certain privileges for hunting dogs and dogs owned or used by the Board of Game Commissioners providing for the assessment of damages done to live stock poultry and game birds by dogs and for live stock killed by or dying from rabies and for the illegal killing of licensed dogs and the payment of such damages by the Commonwealth imposing powers and duties on certain State county city borough town and township officers and employes directing the payment of all moneys collected into the State Treasury and providing penalties" by providing for the issuing of free licenses for seeing-eye dogs and by increasing the amount of certain payments to be made to the Commonwealth for damage caused by dogs or rabies

HOUSE BILL No. 549.

An Act to further amend sections three hundred one and three hundred three of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by authorizing the Board of Finance and Revenue with the approval of the Governor to invest State deposits in short-term obligations of the United States government and to dispose of the same

HOUSE BILL No. 686.

An Act to permit the sale and purchase of imitation butter or oleomargarine for consumption by inmates and employes of charitable and penal institutions within the Commonwealth for a period of two years and suspending certain provisions of the law prohibiting such sales and purchase for the same period of time under certain circumstances requiring the keeping of records and the making of reports and providing penalties

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADDITIONAL SPONSORS TO RESOLUTION

Mr. PETROSKY asked and obtained unanimous consent to have three sponsors to a resolution.

Messrs. PETROSKY, STANK and BOWER offered a resolution which was twice read, considered and adopted as follows:

In the House of Representatives, April 22, 1943.

Whereas, Our congenial colleague, the Honorable Joseph F. Bradley, in addition to his many other achievements, has today attained the distinction of being a grandfather; and

Whereas, This new status of "Joe's" was occasioned by reason of the birth of a son to his daughter, Mrs. Geraldine Heim, at the Shamokin Hospital; and

Whereas, The House is anxiously awaiting news as to whether this young man is to be named "Hard Coal" Heim, in honor of his illustrious grandparent; now therefore be it

Resolved, That this House congratulates the Honorable Joseph P. Bradley on the birth of his first grandchild, and hereby wish him many more of such occasions; and be it further

Resolved, That a copy of this resolution be transmitted by the chief clerk to the happy parents.

SENATE MESSAGES

The Clerk of the Senate, Mr. McGroerty being introduced, presented extracts from the Journal of the Senate:

Senate bills for concurrence Nos. 145, 400, 440, 470, 497, 501, 516, 547, 576, 587.

House Bill concurred in by Senate No. 548.

Amended House Bills returned for concurrence Nos. 546 and 626.

which were laid on the table.

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 548.

An Act to reenact and amend the title and the act approved the ninth day of June one thousand nine hundred thirty-six (Special Session of one thousand nine hundred thirty-six P. L. 13) entitled "An act imposing an emergency State tax for a limited period of time on liquor as herein defined sold by the Pennsylvania Liquor Control Board providing for the collection and payment of such tax and imposing duties upon the Department of Revenue and the Pennsylvania Liquor Control Board" as previously reenacted and amended by extending the provisions thereof for a further limited period of time.

With the information that the Senate has passed the same without amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 487

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 22, 1943.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Concurrent Resolution recalling from the Governor House Bill No. 487, Printer's No. 150, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

EDWARD MARTIN

COMMUNICATION AND BILL LAID ON TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that the communication together with the bill be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 546.

An Act to reenact and amend the title and the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 208) entitled as amended "An act to provide revenue for State purposes by imposing an excise tax for a limited period of time on the net incomes of certain corporations joint-stock associations and limited partnerships providing for the assessment collection settlement and resettlement of taxes and reviews and appeal therefrom conferring powers and imposing duties on certain persons corporations joint-stock associations limited partnerships State and county officers boards and departments making an appropriation and providing penalties" as previously reenacted and amended by extending the provisions of the act for a further limited period of time by reducing the rate of tax eliminating the deduction for Federal taxes further defining net income authorizing the Department of Revenue to grant an additional extension of time for filing reports changing the method of reporting in certain cases reducing the interest penalty on unpaid taxes and making certain of the changes effected by this reenacting and amending act retroactive to a certain extent.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 2, line 1, by striking out after the word "taxes" the word "by".

Amend Section 1, page 4, line 20, by inserting after the word "Federal" the words "income or excess profits"; also in line 29, by inserting after the word "Federal" the words "income or excess profits"; also on page 5, line 2, by inserting after the word "Federal" the words "income or excess profits"; also in line 6, by inserting after the word "for" the word "such"; also in line 8, by inserting after the word "for" the word "Such"; also in line 12, by inserting after the word "Federal" the words "excess profits"; also on page 11, line 23, by striking out at the beginning of said line the word "pen" and inserting in lieu thereof the word "per".

On the question,

Will the House concur in the amendments made by the Senate?

MESSAGE AND BILL LAID ON TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 626.

An Act to validate and confirm certain contracts heretofore entered into by Boards of Township Supervisors where the Township has received in maintenance and improvement of its highways a reasonable quid pro quo for such contracts and to authorize ratify confirm and validate payments on such contracts by the Township and to provide that no Township Supervisor shall be subject to surcharge for payments made on any such contract.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 8, by inserting after the word "payments" the word "heretofore".

Amend Section 1, page 2, line 26, by inserting after the word "payments" the word "heretofore."

On the question,

Will the House concur in the amendments made by the Senate?

MESSAGE AND BILL LAID ON TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 133

Mr. KLINE. Mr. Speaker, I desire to submit the report of the committee of conference on Senate Bill No. 133.

The SPEAKER. The report will be filed with the Clerk and will be printed by the Senate.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 133

The Clerk of the Senate being introduced, informed that the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 133.

An Act to further amend subsection (c) of section two hundred two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by authorizing casualty companies to insure against loss and damage to certain machinery and equipment of mines while located under ground and to underground passageways gangways airways drifts slopes shafts overcasts and stoppings of mining operation.

MESSAGE AND BILL LAID ON TABLE

Mr. LICHTENWALTER. Mr. Speaker, I move that the message from the Senate together with the report be laid on the table.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. NORMAN WOOD from the Committee on Appropriations reported as committed, House Bill No. 958, entitled:

An Act making an appropriation to the State Council for the Blind for use in supplying medical treatment, surgical operations, eyeglasses or other necessary aids or services to needy blind persons or persons with impaired vision.

Mr. CHARLES H. BRUNNER, JR. from the Committee on Judiciary Special re-reported as committed, House Bill No. 508, entitled:

An Act to amend sections one four and seven of the act approved the fourth day of June one thousand nine hundred thirty-seven (P. L. 1595) entitled "An act relating to peace officers providing for the qualifications and appointments of deputy sheriffs regulating the manner of their selection and compensation regulating the source of compensation for other peace officers declaring void certain contracts inconsistent with the provisions hereof providing penalties and repealing inconsistent acts" by changing the method of appointing deputy sheriffs and permitting the appointment of deputies as watchmen bank police and payroll police in certain cases.

ADJOURNMENT

Mr. BARTON. Mr. Speaker, I move that this House do now adjourn until Monday, April 26, 1943, at 9 p. m.

The motion was agreed to, and (at 6 p. m.) the House adjourned.

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